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National Anti-Slavery Standard.

SYDNEY HOWARD GAY, EDITOR.

Without Concealment---Without Compromise.

EDMUND QUINCY, JAMES RUSSELL LOWELL, COR. EDITORS.

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Selections.

THE Evangelical Alliance has closed its sittings. It will soon close its existence. It has not been faithful to its principles on the subject of Slavery—not faithful to religion—not faithful to humanity. It has entered into a criminal compromise with the American pro-slavery divines, on the subject of Trans-atlantic Slavery. That was one of its last acts. We gave the particulars yesterday. From that moment the glory may be said to have departed from the Alliance. Hereafter, as certainly as retribution follows what is wrong, the downward progress of the Alliance will be visible to all, until it has ceased to exist. Whatever others may do, we will not regret its doom. As we remarked the other day, ours is the only daily journal which ever indicated the slightest sympathy with its objects, or ever whispered a word of encouragement in its ear. We gave it our cordial support five years ago, when it was first formed. Since then we have watched with solicitude its progress; but a change has come over our feelings towards it, because a melancholy change has come over itself. It has been guilty of a compromise on a vital question. It has acquiesced in the Slavery views of Dr. BAIRD, one of the most pro-slavery divines from the United States. This act of colossal criminality, has at once extinguished all our sympathies in its favour. We dare no longer, unless it purge itself of this sin, wish it "God speed."

It has adopted the report of the council, to which we formerly referred as having been only received. That report, as we then showed, betrayed the cause of the 3,000,000 human beings held, in the Southern States of America, in a state of the most appalling bondage. The Evangelical Alliance has thus become a partaker of the sin of American Slavery. It has fraternised with the blood-guilty churches of the United States, and with them must expect to share the punishment which, sooner or later, is sure to follow so fearful an act of criminality.

Sir CULLING E. EARDLEY acted as chairman while the Alliance took this frightfully criminal step; and it was chiefly under his auspices, as far as we can judge from the proceedings, that the deed was done. We must confess that Sir CULLING's conduct does not surprise us; but we are amazed beyond measure that the members of the Alliance should, with so much seeming readiness, certainly without any energetic resistance, have acquiesced in the course which Sir CULLING proposed. Sir CULLING is a poor, feeble-minded man. Boldness and decision are qualities which are foreign to his nature. The word "compromise" is written on his countenance. It is exemplified in every action of his life. Just see how he demeans himself on the subject of religion. At one time he is an Episcopalian, at another a Congregationalist. More frequently he is both together at once—that is to say, if a man can be both. He declaims, in his small way, against the Anglican Church, and yet he has a place of worship of his own, at Erith, in the service of which all the more essential features of Episcopacy are prominently exhibited. Such compromising persons—such half-and-half men, as Sir CULLING, are the greatest obstacles to the progress of true religion, and the greatest enemies to whatever is worthy the name of high and holy principle. "Principle" is, indeed, a word, in its more enlarged and elevated acceptation, which is not to be found in the vocabulary of such persons.

While therefore we feel not the slightest surprise at the circumstances of Sir CULLING EARDLEY betraying the cause of the 3,000,000 slaves in America, we must repeat the expression of our astonishment, that the Evangelical Alliance should have been prevailed upon to surrender their judgment, feelings, and principles, to so weak-minded a man, who was manifestly acting under the inspiration of a Transatlantic divine, who stood ostensibly before the Alliance as the advocate of the American slaveholders.

And here, in connexion with this pro-slavery Dr. BAIRD, we may be permitted to give utterance to our amazement, mingled with other feelings, that he should have been allowed to preach in some of our evangelical pulpits. He preached, for instance, last Sunday morning, in the chapel of Dr. CARLILE, Woolwich, and in that of the Hon. and the Rev. BAPTIST NOEL in the evening. While we deeply deplore the circumstances that a man so largely implicated in the guilt of Slavery, by his bold and unblushing efforts to uphold the system, should have been so far countenanced by a man of Mr. NOEL's high character, as to be admitted into his pulpit, we are not, we confess, particularly surprised at the fact. Dr. BAIRD has come to this country with great professions of abhorrence of Slavery on his lips, and of being as anxious for its abolition as any one in this country can be, though differing as to the best means of accomplishing that object. Mr. NOEL is so remarkable for the unsuspiciousness of his disposition, and of that charity which thinketh no evil, that we can easily comprehend how he, notwithstanding his unqualified pulpit denunciations of Slavery, should have been thrown off his guard by this Transatlantic divine. But, we must say, that we are very greatly surprised, that such a man as Dr. CARLILE should ever have invited Dr. BAIRD to his pulpit. Dr. CARLILE is a shrewd, courageous, uncompromising man. Few men know American Slavery better; nor do many persons comprehend more thoroughly than he, the character of those Transatlantic doctors of divinity who are the great pillars of Southern Slavery. Our columns will be open to Dr. CARLILE, should he feel disposed to enlighten ourselves and the religious public of this country, relative to the circumstances under which Dr. BAIRD found access to his pulpit.

One thing we know: it could not have been any extraordinary pulpit qualifications of the Transatlantic D.D. We know not what sort of sermon he preached at Woolwich, in the morning, but in the evening, in Mr. NOEL's, his sermon, if such it ought to be called, was a second edition, enlarged, and adapted to circumstances, of the speeches he had previously delivered at Exeter-hall. We say advisedly, that there was not a particle of the gospel in it, from beginning to end. It was the old stereotyped story of the great accession of population which the United States has received since the beginning of the present century—the numbers who are yearly pouring into her territories from all parts of Europe—and the Doctor's threadbare calculation, that in another fifty years, America will have a population of 100,000,000 souls. The result is left to our own inferences, though the Transatlantic D. D. makes no secret of his belief—a belief in which he evidently exults—that if Englishmen then dare, as they do now, to say a word against the "domestic institutions" of Slavery, we shall receive such a thorough thrashing from JONATHAN, as poor JOHN BULL never got before, through a somewhat protracted life. Idle and insane menace! A menace only calculated to inspire mingled emotions of derision and scorn.

We have already adverted to the humbling fact that the Evangelical Alliance, in allowing itself to be led to the extent it did by the Transatlantic Doctor of Divinity, compromised both its religion and its humanity. But this was not all. It compromised the manliness of its character, too. Its members tamely permitted themselves to be *bearded* by this Dr. BAIRD. They either had not the discernment to perceive, or the spirit to resist, the domineering way in which he demeaned himself towards them. He talked in terms which must have satisfied them, that he felt he was performing an act of condescension when he acquiesced in the proposal which had been made to send out a deputation from the Alliance to the American churches. But he took care to inform them, with an effrontery which none but a Yankee divine could display, that his concurrence was only given on the express condition that men of certain moderate views—which means no views at all—on the question of American Slavery, should form the deputation. "*I*," said this arrogant and dictatorial Transatlantic doctor of divinity, "*I* could name eight or ten whom *I* would trust in this matter." And a body of Englishmen, English Christian ministers, submitted in silence to be thus dictated to and domineered over by a New York preacher, of no mark or likelihood, except as a zealous supporter of the "domestic institution!" Really, one cannot help blushing for his country, when he finds a body of educated men, holding an honourable position in society, thus submitting with spaniel-like tameness of spirit, to be schooled and insulted to their faces, by a Yankee, whose name was never heard on this side of the Atlantic, except in connection with his zealous efforts to uphold American Slavery.

For the sake of the Evangelical Alliance itself, we lament the compromise to which it has come with the pro-slavery churches of America. So far as the Anti-Slavery cause in America is concerned, the miserable patchwork of Sir CULLING EARDLEY and Dr. BAIRD, will not retard its progress in the slightest degree. It will not delay a single hour the time of righteous retribution to the slaveholders, and of justice to the slaves. It will rather accelerate the day when the great consummation, so devoutly wished by all the real friends of religion, of justice, and of humanity, will take place.

Those ministers of the Gospel in this country, who at the last meeting of the Congregational Union, and of the Baptist Board, pledged themselves to non-intercourse with slaveholding or Slavery-supporting ministers, and members of churches, on the other side of the Atlantic, will now see that they are called on to display greater zeal, and to make greater efforts than ever, in the maintainance of the bold, broad, well-defined ground which they have taken up. Because certain ministers of religion, members of the Evangelical Alliance, have betrayed the cause of the slaves in the United States, a corresponding obligation rests on them, to be yet more faithful, more zealous, more laborious, in the vindication of the rights of humanity, and the interests of religion and justice, in the persons of the bondsmen of America. The intense anxiety of Dr. BAIRD to disarm the hostility to American Slavery, of the religious denominations in this country, shows, in the most conclusive manner, how great is the importance which his clients, the Southern "man-proprietors," attach to the religious bearings of the question. Dr. BAIRD's consuming solicitude to keep up a friendly feeling between the churches here and in the United States, constitutes "confirmation strong as proofs of holy writ," that we were right when we said, ten days ago, that the churches in America are the great pillars which support the hideous superstructure of Transatlantic Slavery.—*The (London) Morning Advertiser.*

MR. EDITOR: In conformity with your frequent practice, in regard to public addresses, I suppose that you will not object to receiving some report of the Anti-Slavery address of Mr. Phillips, on Saturday night.

Wendell Phillips rises with the occasion, and I have seen him more brilliant and more impressive, at more trying times. But he is always himself, and there was in this address the same moral nobleness, the same elegance of manner, the same pointed sententiousness, the same keen satire, the same wealth of illustration and allusion, which have always given him an easy preeminence over all other New England public speakers.

The portion of his address which I wished especially to see reported, was his glowing and triumphant eulogium upon Mr. Garrison, so appropriate to a visit to the former abode of that remarkable man. 'As it was said (said he) that the fame of Roscoe would outlive the shipping and the docks of Liverpool, so a time may come when the wharves of Newburyport may be in ruins, and her factories silent, yet strangers still visit the city as the birthplace of William Lloyd Garrison.'

He did not propose (he said) to enter on a criticism of this man's work. IT HAD BEEN TESTED BY ITS SUCCESS. For the community to object to the manner in which it had been done, was as idle as Napoleon's efforts at St. Helena, to prove that by military rules, Wellington had no right to conquer at Waterloo. The fact was more important than the theory. When Garrison began his agitation, the public sentiment was as dead as if it had never been aroused. Not a newspaper would speak a word upon Slavery. Webster boasted that he never had investigated the subject; Clay denounced it treason to debate it in Congress, in any way; Benton defied his energies to make him open his lips upon it in Congress, on either side. Every influential power in the nation said 'Silence;' Garrison, the poor printer's boy, said 'Speech,' and what was the result? IN TWENTY YEARS, THE WHOLE NATION HAD BEEN TURNED INTO AN ANTI-SLAVERY DEBATING SOCIETY.

What was the test of greatness in a Statesman? TO FORESEE POLITICAL EVENTS, AND TO SUBDUE THE WHOLE COMMUNITY TO HIS OWN IDEA. Tried by this test, the greatest statesman this side of the Atlantic, was Garrison.

True, he began his work, poor, hated and slandered; he was poor, hated, and slandered still. But what might not this man have been, had he mingled more personal ambition with his energy, his foresight, his vigorous eloquence, and his practical skill. Horace Greeley, who began life at the same time and in the same station, with no more of these qualities, (and with even some of the same draw-backs) was now the head of the most influential press in the United States, and master of great wealth, which would be greater but for his generous nature. Garrison, with the same habit of bowing finally, on every trial, to *expediency* might have gained all this, and more.

This series of remarks was especially interesting, from their applicability not only to the subject, but the speaker. Said a Boston gentleman once to the writer, 'I am no Abolitionist, and yet somehow, I never met Wendell Phillips in the street without wanting to pull off my hat to him. For I remember what he might have been, had he sacrificed, like the rest of us, his scruples to his ambition.' It was true. All that the most ambitious young man in Massachusetts desires most to obtain, that Wendell Phillips had, at the very beginning of his career. The favourite child of Boston aristocracy, the idol of his classmates and friends, wealthy, accomplished, possessed of brilliant scholarship, of skill, energy, and unequalled eloquence; there was no prize to be gained at the bar, in the pulpit, among popular assemblies, or in legislative halls, which was not easily within his reach. These he has left all behind, left them to the Choates and the Curtises, the Boutwells and the Wilsons, men of fair abilities and fair aims, perhaps, but not like his; and calmly sacrificed on the altar of an unpopular duty more than any man of this age. For he has not only been identified with an obnoxious reform, but with the most obnoxious method of that reform; which sets him aside forever from the one idol of his youth, political station and influence, and perhaps has limited even his usefulness thereby. Yet he has the satisfaction of knowing that he has contributed more to the Anti-Slavery agitation than any man except Mr. Garrison; and has done more than even him, perhaps, to remove the cruel hostility against the coloured people in this Commonwealth.

I have never heard any speaker in this town listened to with so much attention as Mr. Phillips, during his three addresses to large (and finally overflowing) audiences within the last two days; and I regret that there can be no fuller report of his remarks.

T. W. H.

—*The Daily (Newburyport, Mass.) Evening Union.*

THE METHODIST EPISCOPAL CHURCH.

THE CHURCH NORTH AND SOUTH.

DEISION OF JUDGE NELSON.

IN the United States Circuit Court yesterday (Nov. 12) Judge NELSON pronounced the following able and interesting decision in the case of "Henry B. Bascom and others *vs.* George Lane and others, in equity":

The complainants in their bill state that before and on the 8th day of June, 1848, there existed in the United States of America a voluntary association known as the Methodist Episcopal Church, not incorporated, but composed of seven bishops, four thousand eight hundred and twenty-eight preachers belonging to the travelling connexion, and, in bishops, ministers, and membership, about one million one hundred and nine thousand nine hundred and sixty, then being in the United States and Territories thereof, united and holden together in one organized body by certain doctrines of faith and morals, and by certain rules of government and discipline; that the general government of this church was vested in one body, called the general conference, and in certain subordinate bodies called annual conferences, and in bishops, travelling ministers, and preachers; and that the constitution, organization, form of government, and rules of discipline, as well as the articles of religion and doctrines of the church, were of general notoriety; but, for the more particular information of the court, reference is made to a printed volume entitled "The Doctrines and Discipline of the Methodist Episcopal Church;" and the complainants allege that differences and disagreements have sprung up between what was called the Northern and Southern members, in respect to the administration of the church government, concerning the ownership of slaves by the ministry of the church, of such a character, and attended with such consequences, as threatened fearfully to impair the usefulness of the church, as well as permanently to disturb its harmony; and that it became a question of grave and serious importance whether a separation ought not to take place by some geographical boundary, so that the church should thereafter constitute two separate and distinct Methodist Episcopal Churches; and thereupon the complainants allege that at a general conference of the church, holden according to usage and discipline at New York, on the 8th day of June, 1844, the following resolutions were duly adopted by a majority of over three-fourths of the entire body. As the principal question in the case arises upon these resolutions, we copy them entire:

Resolved, By the delegates of the several annual conferences, in general conference assembled:

1. That should the annual conferences in the slaveholding States find it necessary to unite in a distinct ecclesiastical connexion, the following rule shall be observed with regard to the northern boundary of such connexion: All the societies, stations, and conferences adhering to the church in the South, by a vote of a majority of the members of said societies, stations, and conferences, shall remain under the unmolested pastoral care of the southern church; and the ministers of the Methodist Episcopal Church shall in nowise attempt to organize churches or societies within the limits of the church South, nor shall they attempt to exercise any pastoral oversight therein—it being understood that the ministry of the South reciprocally observe the same rule in relation to stations, societies, and conferences, adhering by a vote of a majority to the Methodist Episcopal Church: Provided, also, That this rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that church within whose territory they are situated.

2. That ministers, local and travelling, of every grade and office in the Methodist Episcopal Church may, as they prefer, remain in that church, or, without blame, attach themselves to the church South.

3. Resolved, by the delegates of all the annual conferences in general conference assembled, That we recommend to all the annual conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: They shall not appropriate the produce of the Book Concern nor of the chartered fund to any purpose other than for the benefit of the travelling, supernumerary, superannuated and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined upon by a vote of two-thirds of the members of the general conference.

4. That whenever the annual conferences, by a vote of three-fourths of all their members voting on the third resolution, shall have concurred in the recommendation to alter the sixth restrictive article, the agents at New York and Cincinnati shall be, and they are hereby, authorized and directed to deliver over to any authorized agent or appointee of the church South, should one be organized, all notes and book accounts against the ministers, church, members, or citizens within its boundaries, with authority to collect the same for the sole use of the southern church; and that said agents also convey to aforesaid agent or appointee of the South all the real estate, and assign to him all the property, including presses, stock, and all right and interest connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the Methodist Episcopal Church.

5. That, when the annual conferences shall have approved the aforesaid change in the sixth restrictive article, there shall be transferred to the above agent from the southern church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses, &c., mentioned in the last resolution, bear the same proportion to the whole property of said concern that the travelling preachers in the southern church shall bear to all the travelling ministers of the Methodist Episcopal Church: the division to be made on the basis of the number of travelling preachers in the forthcoming minutes.

6. That the above transfer shall be in the form of annual payments of $25,000 per annum, and specifically in stock of the Book Concern, and in southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; and, until the payments are made, the southern church shall share in all the net profits of the Book Concern, in the proportion that the amount due them, or in arrears, bears to all the property of the Concern.

7. That Nathan Bangs, George Peck, and James B. Finley, be, and they are hereby, appointed commissioners, to act in concert with the same number of commissioners appointed by the southern organization (should one be formed), to estimate the amounts which will fall due to the South by the preceding rule, and to have full power to carry into effect the whole arrangements proposed with regard to the division of property, should the separation take place; and if by any means a vacancy occurs in this board of commissioners, the book committee at New York shall fill said vacancy.

8. That, whenever agents of the southern church are clothed with legal authority or corporate power to act in the premises, the agents at New York are hereby authorized and directed to act in concert with said southern agents, so as to give the provisions of these resolutions a legally binding force.

9. That all the property of the Methodist Episcopal Church, in meeting-houses, parsonages, colleges, schools, conference funds, cemeteries, and of every kind within the limits of the southern organization, shall be forever free from any claim set up on the part of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

10. That the church so formed in the South shall have a common right to use all the copyrights in possession of the Book Concerns at New York and Cincinnati at the time of the settlement by the commissioners.

11. That the book agents at New York be directed to make such compensation to the conferences South for their dividend from the chartered fund as the commissioners above provided for shall agree upon.

12. That the bishops be respectfully requested to lay that part of this report requiring the action of the annual conferences before them as soon as possible, beginning with the New York conference.

The complainants further allege that the said general conference had full and competent power and authority to adopt the resolutions, each and all of them, and that, the same became of binding force and validity; and that in pursuance of said resolutions, such proceedings were afterwards had in the several annual conferences of the Methodist Episcopal Church in the slaveholding States, in general convention assembled, by delegates (elected on the basis of the resolutions of the general conference of 1844), at Louisville, Kentucky. On the 1st day of May, 1845, the following resolution was adopted after mature and deliberate consideration:

Be it resolved by the delegates of the several annual conferences of the Methodist Episcopal Church in the slaveholding States in general convention assembled, That it is right, expedient, and necessary to erect the annual conferences represented in this convention into a distinct ecclesiastical connexion, separate from the jurisdiction of the general conference of the Methodist Episcopal Church, as at present constituted; and, accordingly, we, the delegates of said annual conferences, acting under the provisional plan of separation adopted by the general conference of 1844, do solemnly declare the jurisdiction hitherto exercised over said annual conferences, by the general conference of the Methodist Episcopal Church entirely dissolved; and that said annual conferences shall be, and they hereby are, constituted a separate ecclesiastical connexion, under the provisional plan of separation aforesaid, and based upon the discipline of the Methodist Episcopal Church, comprehending the doctrines and entire moral, ecclesiastical, and economical rules and regulations of said discipline, except only in so far as verbal alterations may be necessary to a distinct organization, and to be known by the style and title of the Methodist Episcopal Church South.—Yeas, 94.

And that afterwards, on the second day of July, 1845, a council of the bishops of the Methodist Episcopal Church met at New York (which council was composed of the northern bishops), and then and there adopted unanimously the following resolutions:

1. Resolved, That the plan reported by the select committee of nine at the last general conference, and adopted by that body, in regard to a distinct ecclesiastical connexion, should such a course be found necessary by the annual conference in the slaveholding States, is regarded by us as of binding obligation in the premises, so far as our administration is concerned.

2. Resolved, That in order to ascertain fairly the desire and purpose of those societies bordering on the line of division, in regard to their adherence to the church, North or South, due notice should be given of the time, place, and object of the meeting for the above purpose, at which a chairman and secretary should be appointed, and the sense of all the members present be ascertained, and the same be forwarded to the bishop who may preside at the ensuing annual conferences, or forward to said presiding bishop a written request to be recognised, and have a preacher sent them, with the names of the majority appended thereto.

And the complainants allege and insist that, by and in virtue of the foregoing proceedings, the Methodist Episcopal Church in the United States, as it had existed before the year 1844, became and was divided into two distinct Methodist Episcopal Churches, with distinct and independent organizations, powers, and authority, composed of the several annual conferences, charges, stations, and societies, lying or being situated North and South of the aforesaid line of division.

And the complainants further allege that, by force of the foregoing proceedings, the Methodist Episcopal Church South became and was entitled to its proportion of all the property, real and personal, and of all funds and effects which, up to the time of the separation, had belonged to the Methodist Episcopal Church; and that the church South was and is so entitled, without any change or alteration of the sixth restrictive article above mentioned. That before and on the said eighth day of June, 1844, the Methodist Episcopal Church owned and possessed a large amount of property in various parts of the United States, real and personal, which was in the hands of agents and trustees; and, among others—large interests therein belonging to the said church—what was denominated the Book Concern, in the city of New York, consisting of houses and lots, machinery, books, papers, debts, cash, &c., amounting to about the sum of $75,000—the whole of which property is now in possession of the defendants, Lane and Scott, as book agents.

And the complainants further allege that, after the division of the Methodist Episcopal Church into two distinct churches, by virtue of the resolutions of the general conference of 1844, and the action of the annual conferences of the South, as herein before set forth, the agents of the Book Concern, since the year 1845, have utterly refused to pay to the annual conferences South, or to the complainants for and on behalf of them, their said just proportion of the profits and income to the said Book Concern, and still continue to withhold the same. That the said general conference of the church South, holden at Petersburg, Virginia, in May, 1845, in pursuance of, and in compliance with, the plan of separation of 1844, proceeded to appoint the complainants, Bascom and Green, together with S. A. Latta, commissioners, to meet the commissioners appointed by the general conference of the Methodist Episcopal Church of 1844, and to settle and receive from the said commissioners the just proportion of the property and effects due to the church South, according to the said plan of separation; and that the said Bascom, Green, and Latta afterwards applied to Nathan Bangs, George Peck, and James B. Finley, appointed by the general conference of 1844 as the said book agents, to meet them for the purpose of a settlement and division of the said property, and have repeatedly called on them for that purpose; but that the defendants have wholly failed and refused to act in the premises; nor have they been enabled to induce the said book agents, nor commissioners, nor church itself, to pay to the said church South its proportionate share of the said property and funds, as provided in the said plan of separation.

And the complainants allege that they are members of the Methodist Episcopal Church South; that Kelly and Allen are supernumerary preachers, and Tevis a superannuated preacher; and that they belong to the travelling connexion of the said church; and, as such, have a personal interest in the estate (real and personal) now holden by the Methodist Episcopal Church by the defendants, as agents and trustees appointed by the general conference: that there are about fifteen hundred preachers belonging to the travelling connexion of the Methodist Episcopal Church South, each of whom has the same personal interest in the said property as the complainants; and that the great number of persons thus interested in the recovery sought by said bill makes it inconvenient, if not impossible, to bring them all before the court as complainants; that they are citizens of States other than the State of New York, and that their interests exceed the sum of $2,000; that the defendants (Lane and Scott) have the custody and control by law, and by virtue of their appointment as agents of the Book Concern, of all the property and effects of the said Concern, as above described.

The complainants further allege that the entire membership of the Methodist Episcopal Church South is about four hundred and sixty thousand five hundred and fifty-three; and that the entire membership of the church North is about six hundred and thirty nine thousand and sixty-six; and that it is, therefore, impossible to bring all the parties in interest before the court in this bill, either as complainants or defendants.

The defendants admit the adoption of the resolutions of the general conference of the eighth of June, 1844, by a majority of over three-fourths of the entire body: but allege that the said resolutions were, in respect to their operation and effect, provisional and contingent, and were intended to meet a future emergency, that it was supposed might arise in the church between the northern and southern members; and, further, that the said resolutions, called the plan of separation, were not duly or legally passed; and that the general conference had no competent power or authority to pass or adopt the same, except that portion comprising the recommendation to the annual conferences to change the sixth restrictive rule; and that the last named resolutions, when adopted, were null and void, and without any binding force, except as a matter of recommendation.

The defendants further insist that, even had the so-called plan of separation been constitutional and valid, it merely provided for a prospective plan, which, without the happening of certain future conditions, or on the failure of which conditions, or either of them, could not by its express terms, nor was it ever intended to, have any force or validity, and is null and void; and that the same was never ratified by the annual conferences named therein; and that the southern annual conferences have, in all respects as to the church South, acted on their own responsibility, without any authority from the general conference of 1844.

The defendants admit that the resolutions set forth in the complainants' bill were adopted by the convention of delegates from the annual conferences in the slaveholding States, assembled at Louisville, Kentucky, on the 1st of May, 1845, but they deny that the delegates comprising said convention were elected on the basis or according to the authority of the provisional plan of the separation of 1844. And they insist that the Methodist Episcopal Church South exists as a separate ecclesiastical communion, by the actions and doings of the individual bishops, ministers, and members attached to such church, proceeding in the premises on their own responsibility; and that such bishops, ministers, and members have voluntarily withdrawn themselves from the Methodist Episcopal Church, and have renounced all their rights and privileges in the communion and under her government.

The defendants further admit that the council of bishops of the Methodist Episcopal Church, called the northern bishops in complainants' bill, met and adopted the resolutions therein stated. They deny that this church, as it existed before the year 1844, or as it at any time existed, was lawfully divided into two distinct Methodist Episcopal Churches, as alleged in the said bill; but that the separation and withdrawal from the church of a portion of the bishops, ministers, and members, were an unauthorized separation.

The defendants admit that before and on the eighth day of June, 1844, the Methodist Episcopal Church owned and possessed large amounts of property in various parts of the United States, and that the property, consisting of the Book Concern, with all houses, lots, machinery, printing presses, &c., is now, and always has been, the property of the preachers belonging to the travelling connexion of the Methodist Episcopal Church, and their families; but that, if such preachers do not, during life, continue in such travelling connexion and in communion, and subject to the government of the said church, they forfeit, for themselves and their families, all their ownership in, and all claims upon, said Book Concern and the produce thereof.

They admit that all lands, property, and effects, pertaining to the said Book Concern, are in the possession of the defendants, Lane and Scott, as agents duly appointed by the general conference.

They admit, also, that the said Book Concern was originally commenced by travelling ministers of the Methodist Episcopal Church, on their own capital, with the design, in the first place, of circulating religious knowledge, and by whom it was surrendered to the ownership of all the travelling preachers in full connexion, and made subject to the control of the travelling preachers in their general conference; and that it was agreed, from time to time, the profits arising from the sale of the books should be applied to pious and charitable objects, but principally to the support of travelling ministers and their families, until, in the general conference of 1796, it was determined that the said moneys should in future be applied wholly to the relief of travelling preachers, including such of them as were superannuated, and the widows and orphans of such as were deceased; and that it was resolved in that conference that the produce of the sale of the books, after the book debts were paid and a sufficient capital provided for carrying on the business, should be regularly paid "for the relief of distressed travelling preachers, for the families of travelling preachers, and for the superannuated and worn-out preachers, and the widows and orphans of preachers."

We have thus stated what we regard the material parts of the bill and answer. A good deal of documentary proof was read on the hearing; but upon the view we have taken of the case, it will not be necessary to refer particularly to it, except as stated in the course of this opinion, as most if not all of the facts material to be noticed are not matters of serious dispute. Indeed, the bill and answer present most of the facts upon which our opinion will be founded.

The complainants include travelling, supernumerary and superannuated preachers, belonging to the travelling connexion of preachers in the Methodist Episcopal Church South, representing in this suit a numerous body in that connexion, and claim their proportionate share in the profits of the Book Concern, which this description of persons were confessedly entitled to before the division of the Methodist Episcopal Church into two distinct organizations took place, under the plan of separation of 1844. This Book Concern was established at a very early day by the travelling preachers in connexion with that church, and the profits to be derived therefrom devoted by them to the relief of their distressed supernumerary and worn-out brethren, their widows and orphans. The establishment was small at first, but at present is one of a very large capital, and of extensive operations, producing great profits, to be applied in behalf of the objects of the charity. It has, doubtless, been conducted with great judgment and prudence by the agents in the immediate charge of it; but its growth and present magnitude are not less owing to the labours and devotion of the body of the travelling preachers, who have always taken the principal charge of the circulation and sale of the books in the Methodist connexion throughout the United States, accounting to the proper authorities for the proceeds.

The travelling preachers of this church were the founders of the charity, and have designated the objects and purposes to which it shall be applied; and if it is at any time wrongfully withheld by those in the immediate charge of it, or diverted from the objects designed by the founders, it is the duty of the court to interfere and enforce the execution of the trust.

The foundation of this charity is peculiar and novel, differing essentially from the cases of this description that have heretofore fallen under the equitable jurisdiction of a court of chancery. The travelling preachers are both the founders and the beneficiaries. They are the proprietors of the charitable fund, and, according to the constitution under which the endowment was made, also entitled to its proceeds.

We do not perceive, however, that these considerations can in any way affect the nature or character of the interest of the complainants, or confer upon them a title to the enjoyment of their proportion of the proceeds superior to that of beneficiaries of a pure charity, where a third person has made the endowment in the ordinary way for charitable and pious uses, or that it can be administered upon any other principles than those governing courts of equity in this class of cases; for, according to the original constitution of this fund by the founders, who had a right to prescribe the terms and conditions upon which the proceeds or profits should be distributed, and the persons to whom, and which, when prescribed, furnishes the law of the case for the court, these proceeds and profits have been devoted to the relief of distressed, travelling, supernumerary, and worn-out preachers in the connexion of the Methodist Episcopal Church, their widows and orphans; and to entitle the complainants and those they represent to the enjoyment, they must bring themselves within the description.

We must add, however, that the connexion of this body with the original establishment and subsequent growth of its fund, as a portion of its founders, gives to their claim a peculiar merit, which cannot but impress upon the court an anxiety so to administer it as to secure to them the benefits of the fruits of so sacred a trust, if reasonably consistent with the rules and principles of equity, and the intent of the original founders.

The bills bring the complainants clearly within the description of persons entitled to a distribution of the proceeds of the fund; and the main question in the case, therefore, arises upon the answers and proofs in support of it.

It is insisted—

1. That the resolutions of the general conference of 1844, when properly understood, do not impart an unqualified consent of that body to a division of the Methodist Episcopal Church into two separate and distinct organizations or churches; that the assent thereby given was conditional and contingent, and that the conditions were not complied with, nor has the contingency happened;

2. That, if otherwise, the general conference was not possessed of competent power and authority to assent to or authorize the division; and

3. That the division, therefore, that took place, was a nullity, and the separate organization a wrongful withdrawal and disconnexion from the membership, communion, and government of the church, by reason of which the travelling, supernumerary, and worn-out preachers, composing the separate organization, are taken out of the description of the beneficiaries of the fund.

There were some other matters brought into view in the course of the argument, which we may notice hereafter; but the above positions present the main grounds upon which the defence rests.

I. As to the resolutions, or the plan of separation, as they are usually called.

The first one declares that, should the annual conferences of the slaveholding States find it necessary to unite in a distinct ecclesiastical connexion, the following shall be observed with regard to the Northern boundary of such connexion: All the societies, stations, and conferences adhering to the church in the South, by a vote of the majority of the members, shall remain under the unmolested pastoral care of the Southern church; [and then follows a mutual stipulation that each church abstain from organizing churches or societies within the boundaries of the other, and also [from exercising any pastoral oversight therein.

The second, that ministers, local and travelling, of every grade and office in the Methodist Episcopal Church, may, as they prefer, remain in that church, or, without blame, attach themselves to the church South.

The ninth resolution declares that all the property of the Methodist Episcopal Churches, in meeting-houses, colleges, schools, conference funds, cemeteries, and every kind within the limits of the Southern organization, shall be free from any claim set up on the part of the Methodist Episcopal Church, as far as this resolution can be of force in the premises.

The third is a recommendation to the annual conferences, at their approaching sessions, to authorize a change of the restrictive article of the fundamental law of the church, which we shall have occasion to examine with some particularity in another branch of this case, and which prohibited the general conference from appropriating the produce of the Book Concern to any other purpose than for the benefit of the travelling, supernumerary, and worn-out preachers, their widows and orphans, without the concurrence of the annual conferences.

The change recommended was to add to the clause of limitation, "and to such other purposes as may be determined upon by a vote of two-thirds of the members of the general conference."

The object of recommending this change was to enable the general conference to proceed at once, and make an equitable division of the property and effects belonging to the Methodist Episcopal Church, as then organized, between the two separate organizations, which had been authorized in the preceding resolutions. For this purpose, the next resolution provided, that as soon as the annual conferences shall have concurred in the recommendation, the agents of New York and Cincinnatti were directed to deliver over to the agent of the church South all notes, &c., against the members or citizens within its boundaries, for the sole use of said church; and also to convey to such agent all the real estate and other property connected with the printing establishments at Charleston, Richmond and Nashville, which then belonged to the church; and in the one following, that there should be transferred to the said agent so much of the capital and produce of the Methodist Book Concern as would, with the property and effects before mentioned, bear the same proportion to the whole property of the said Concern that the travelling preachers in the Southern church bore to all the travelling preachers of the Methodist Episcopal Church.

The terms and mode of payment were then prescribed, and commissioners appointed to meet commissioners to be appointed by the Southern organization, to estimate and fix the amount that might fall due them according to the preceding arrangement; and in winding up, the bishops are requested to lay that part of the report (resolutions) requiring the action of the annual conferences before them as soon as possible.

Now, it will be seen from this analysis of the plan of separation, that the only condition or contingency upon which an absolute division of the church organization was made to depend, was the action of the several annual conferences in the slaveholding States. If these should find it necessary to unite in favour of a distinct organization, by the very terms of the plan the separation was to take place according to the terms of the boundary designated. It was left to them to judge of the necessity, and their judgment is made final in the matter. And when the decision is made, and the church divided into two separate bodies, it is declared that ministers of every grade and office of the Methodist Episcopal Church may, as they prefer, remain in that church, or, without blame, attach themselves to the church South.

The whole plan of separation confirms this view. As soon as the separation takes place in accordance with the first resolution, all the property, in meeting-houses, parsonages, colleges, schools, conference funds, and cemeteries, within the limit of the Southern organization, is declared to be free from any claim on the part of the Northern church. The general and common property, such as notes and other obligations, together with the property and effects belonging to the printing establishments at Charleston, Richmond, and Nashville, and the capital and produce of the Book Concern at New York, was referred for future adjustment. This was necessary, on account of the restrictive article upon the power of the general conference, in respect to the produce of the Book Concern and of the charter fund. Some delay was necessary to procure that authority from the annual conferences. But one mode of the adjustment was settled, depending only upon the action of the conferences in respect to the authority. The notes and book debts against persons within the Southern church, together with the several printing establishments situated within its limits, were to be transferred to that church; and also so much of the capital and produce of the Book Concern as, together with the aforesaid property, would bear the same proportion to the whole interest in that concern as the travelling preachers in the Southern church bear to all the travelling preachers of the Methodist Episcopal Church. This perfected the adjustment of the common property between the two organizations.

It will be seen, looking back to the plan of separation, that the only contingencies or conditions subsequent to be found in it are two. First, the separate organization was to depend upon the action of the annual conferences of the slaveholding States; and, secondly, the division of this last portion of the common property of the church upon the action of all the annual conferences in respect to the change of the restrictive article. When the annual conferences in the slaveholding States acted, and organized Southern churches as they did, the division of the Methodist Episcopal Church, into two separate organizations, became complete; and so would the adjustment of the common property between them, if the assent of all the annual conferences had been given to the change in the restrictive article. The failure to give that has left this part of the plan open—the only consequence of which is to deprive the Southern division of its share of the property dependent upon this assent, and leave it to get along as it best may, unless a right to recover its position legally results from the authorized division into two separate organizations.

The argument against this view is, that the separation was to take place, not only in the event of the concurrence of the Southern conferences, but also upon the assent of all the annual conferences to change the restrictive article. And the preamble to the plan of separation was referred to as countenancing this construction. We think otherwise. On the contrary, in our judgment, it confirms the view above taken.

That preamble recites that a delaration had been presented to the general conference with the signatures of fifty-one delegates of that body, from thirteen annual conferences in the slaveholding States, representing that, for the various reasons enumerated, the objects and purposes of the Christian ministers and church organization cannot be successfully accomplished by them under the jurisdiction of the general conference, as then constituted: and that, in the event of a separation—a contingency to which the declaration asks attention as not improbable—we esteem it the duty of the general conference to meet the emergency with Christian kindness and the strictest equity. Then follows the plan of separation. And it leaves the strongest impress throughout of the conviction and spirit so feelingly and impressively announced in the preamble.

The question of separation is left to the judgment of their Southern brethren in the church, whose delegates had declared the necessity, and provision is made for an adjustment and decision of the common property, which, so far as we know, are founded upon principles of "strictest equity" between the parties, and then the constitutional powers of the conference are exhausted in the endeavour to carry out this division.

It is apparent, from the plan of separation, as well as from the whole course of proceedings, that if this body had possesessed the power, or had believed that they possessed it, to make an effectual division of the property, it would have been made at the time, dependent only upon the determination of the Southern conference for a separate organization. They advanced as far as was supposed to be in their power, and took immediate steps to abide the necessary authority to perfect it.

The division of the property was not an element that entered into the consideration of the Southern delegates to declare for a separate organization. They related to a different subject, and one of much more transcendant interest to the churches North and South, and which, during the present session, had threatened to rend this vast and heretofore compact body of Christians to pieces. The agitation growing out of it had reached the highest authorities of the church, and had brought in conflict its chief functionaries and ablest members, and in respect to which opinions were entertained and expressed, deep and irreconcilable.

In the judgment of a large portion of the body, separation was the only alternative to peace, the future Christian fellowship and usefulness of the church. The division of the property was but a consequence of separation, subordinate, and of comparative insignificance.

Instead of the decision of the church depending upon the decision of the common property, the very reverse is the result of the true construction of the plan of separation.

II. As to the power of the general conference to authorize a separation of the church organization.

The Methodist Episcopal Church of the United States was established, in its government, doctrine, and discipline, by a general conference of the travelling preachers in this communion in 1724. Down to that time the Methodist societies in America had been governed by John Wesley, the founder of this denomination of Christians, through the agency of his assistants. During this year the entire government was taken into the hands of the travelling preachers, with his approbation and assent. They organized it, established its doctrines and discipline, appointed the several authorities—superintendents or bishops, ministers and preachers—to administer its policy, and promulgate its doctrine and teaching throughout the land. From that time to this, the source and foundation of all its temporal power are the travelling preachers in this connexion in general conference assembled. The lay members of the church have no connexion with its governmental organization, and never had. The travelling preachers comprise the imbodiment of its power, ecclesiastical and temporal, and, when assembled in general conference according to the usages and discipline of the church, represent themselves, and have no constituents; and thus the organization continued until the year 1808, when a modification took place.

At the general conference of last year, composed of all the travelling preachers, it was resolved to have thereafter a delegated conference, to be composed of one of every five members of each annual conference. These annual conferences are composed exclusively of travelling preachers. The ratio of representation has been altered from time to time, so that in 1844 the annual conferences were represented by one delegate for every twenty-one members.

The reason for the change to a delegated body instead of the assemblage of the entire body of travelling preachers was the great enlargement of the boundaries of the church, which had expanded with the settlements of the country; the consequent multiplication of the travelling preachers; the distance and expense of travel; and the deprivation of the field of their labours for too long a period of the Christian ordinances and religious instruction.

The general conference of 1808, which determined in favour of a delegated body for the future, imposed upon the powers of this body certain limitations, which, in the language of the proceedings of the church, are called restrictive articles—six in number. It is declared that the general conference shall have full powers to make rules and regulations for the church, under the following limitations and restrictions:

1. They shall not alter or change the articles of religion, nor establish any new standards of doctrine.

2. They shall not allow of more than one representative for every fourteen members of the annual conference, nor less than one for every thirty.

3. They shall not alter the government so as to do away with episcopacies, or destroy the plan of itenerant superintendencies.

4. They shall not change the general rules of the United Societies.

5. They shall not deprive the ministers or preachers of trial by committee, and of an appeal; nor the members of trial before the society or lay committee and appeal.

6. They shall not appropriate the produce of the Book Concern nor of the charter fund to any purpose other than for the benefit of the travelling, supernumerary, superanuated, and worn-out preachers, their wives, widows, and children; provided that the concurrent recommendation of three-fourths of all the members of the general annual conferences present, and voting a majority of two-thirds of the general conferences succeeding, shall suffice to alter any of the above restrictions except the first article.

These comprise all the limitations upon that body, assembled by delegates.

That the general conference, composed of all the travelling preachers, and who established the government, doctrines, and discipline of the church, professed the power to reconstruct and reörganize its government, ecclesiastical and temporal, into two or more separate and distinct organizations, is a question about which, we think, no serious doubt can well be entertained.

These travelling preachers represented the sovereign powers of the government, and were responsible to no earthly tribunal for the mode and manner of its exercise. They were entirely free to exercise their own sense and judgment as to what was the best polity and organization of the church, to accomplish this great object and design of the masters in whose service they were engaged; and which were, in the language of their own discipline, "to reform the continent, and to spread scriptural holiness over these lands." As they might have constructed any number of separate and distinct organizations in their first fraternal association and effort in the fulfilment of this mission accordingly, as it might seem to them best, so was it equally in their power at any subsequent period of their labours. The power remained unchanged.

The only argument urged against this view is the unity of the first organization of the church in 1784, which, as supposed, evinced a design that it should be coëxtensive with the territorial limits of the United States, neither more nor less, and to remain and continue a united church within these limits in the exercise of its jurisdiction, spiritual and temporal; and, further, that if a power exists in any general conference to break up this organization and polity of the church as originally designed and established, it belongs to an extraordinary general conference, assembled especially for the purpose, and not to one assembled in the ordinary way, for the discharge of its mere administrative duties, as the chief legislative body of the church; and the history, ecclesiastical judicatories, practice, and usages of the church from its origin were ably and extensively received and examined on the argument, for the purpose of sustaining these several positions.

But the obvious answer to them is, that the argument overlooks the source and fountain of the power belonging to the general conference. We must look up to these, and not to the mere excuse of power in the administration of the sacrament, when seeking to measure its depth and extent. Where is the limit? and who has prescribed it?

The travelling preachers, assembled in general conference, imbody in themselves the sovereign power; and we have nowhere seen their consent to any limitation or restriction, till all came down in the history of their administration to the conference of 1808.

We must have some evidence that they have parted with a portion of their sovereign power that confessedly belonged to them at the first organization since that period, and that they assembled in the subsequent conferences subject to the disability, before their powers can be distinguished from those originally possessed. We have not been referred to any such evidence, nor have our own researches discovered any, nor do we believe there are any recorded acts or declarations of this body to the effect claimed. When jurisdiction and authority, spiritual and temporal, in each general conference, from 1785 to 1808, inclusive, were the same, unlimited and unrestrained, possessing all the power, what, since the latter period, has belonged to the general and annual conferences combined under the new organization. This is necessarily so, as all the power and authority possessed by the annual conferences have been conferred upon them from time to time by the general conference.

The argument that this body, previous to 1808, did not possess the competency to reorganize and reconstruct the government and the church, as they might think best for the great objects of its mission, goes the length of denying that power to the concurred action of both the general and annual conferences since that period, and that there is something in this association and system of polity differing so radically from all others of which we have any knowledge, that even the constituent and representative, although comprising every element of power appertaining to the government, can neither change nor modify it; for the argument comes down to this. We cannot think it necessary to pursue this branch of the case any longer.

As it respects the power of the general conference since the modifications of 1808, it is the same as previously existed, subject to the six restrictive articles; and neither of them has any connexion with or bearing upon the question we have been considering. They relate to the doctrine of one church, its representative in the general conference, the episcopacy, discussion of preachers and members, the Book Concern, and charter fund.

These concern the exercise of the administrative powers of the conference, and are intended as limitations upon them, no less concurred in by the annual conferences.

The powers conferred upon the general conference are broad and unlimited, subject only to these checks in regulating the doctrine, discipline, and property of the church. In all other respects, and in everything else that concerns it, this body shall represent the sovereign power the same as before.

The practice of the general conference since the change in 1828 confirms this view. The connexion of the annual Upper Canada conference with the Methodist Episcopal Church was dissolved in 1828, and that body authorized to erect itself into an independent ecclesiastical establishment.

The force of this precedent has been attempted to be weakened upon the allegation that this connexion differed from that of the annual conferences within the United States, and that it rested upon a sort of compact between that conference and this church, and therefore held a different relation to it. But on looking into the history and discipline of the church, this will be found to be a misapprehension of that relation, and that the Canada conference was brought within its folds in the same way as those lying upon the frontier settlements within the United States.

It will be found that as early as 1804 the Upper Canada districts were included in the New York annual conference, and continued as a part of it, the same as other districts, till 1812, when these districts, and also the Lower Canada districts, were included within the Genesee conference. In 1816 the Lower Canada districts were embraced within the New York and New England conferences. In 1820 both Upper and Lower Canada were again included in the Genesee conferences; and in the same year the bishops were authorized, with the concurrence of this conference, to establish an annual conference in Canada; and in 1824 the Canada conference included the whole of the upper province. And thus it stood in 1828, when erected into an independent establishment.

We have seen nothing in the history, discipline, or practice of the church restricting its organization or Christian labours to the territorial limits of the United States, but much to show that both have been steadily devoted to the accomplishment of the high and holy mission avowed in founding the church—namely, "to reform the continent, and to spread scriptural holiness over these lands."

As early as 1840 the republic of Texas was incorporated into its bosom, and an annual conference established; and we doubt not but that, as the principles of civil liberty and religious toleration work their way in the advancement of civilization over regions hitherto impenetrable to the missionary unless of a particular faith, this great work of organization and Christian labour will be carried on regardless of territorial boundaries or forms of secular government.

In reference to the practice of the church, we must not overlook the action of the general conference of 1844, in the instance now before us. The vote upon the first resolution stood one hundred and forty-seven to twenty two, in a body representing four thousand travelling preachers in this community, and among whom, it is fair to suppose, were included men of the greatest experience and knowledge in the administration of the polity of the church. Indeed, on looking into the report of the debates of this session, and into the discussions upon the report of the committee on the division of the church, and especially upon the all-absorbing circumstances that led to its necessity, no one can fail to be oppressed with the eminent ability and intelligence of the leading members of that body, nor for a moment doubt but that they were profoundly skilled in all the history, practices, and usages of the church government, spiritual and temporal, and in the nature and extent of their powers as the highest judicature belonging to it.

As it respects the action of this body in the matter of the division, no one can pretend but that it proceeded upon the assumption of unquestioned power to erect the church into two separate ecclesiastical establishments. The only doubt entertained or expressed in the plan of separation related to the division of the common property, on account of the sixth restrictive article, which we have conceded all along was not within its competence, but which we shall presently notice more particularly in another part of the case. Independently of this question of property, the power of severance is written upon every page of their proceedings.

Having now arrived at the conclusion that the general conference of 1844 was competent to make the division, and that the only condition annexed to it has been fully complied with, we are prepared to apply the principles of law which, in this posture of the case, must govern it.

We have held, in a previous part of this opinion, that the complainants must bring themselves within the description of persons entitled to the benefit of this charitable fund as described by its original founders: and that, when they have done this, those who deny or withhold the charity must present a case to the court taking them out of the description. This has been attempted by showing that they have been wrongfully separated from the connexion and communion of the Methodist Episcopal Church, and erected themselves into an independent ecclesiastical establishment, and have, therefore, deprived themselves of the character of beneficiaries of the fund. Having arrived at the conclusion that there is no foundation for this allegation, the ground of defence of course fails; and the complainants still continue clothed with the character and rights, belonging to them previous to the separation. The separation having taken place in pursuance of the action of the competent ecclesiastical authority—by the action of the founders of the fund themselves—how can it be maintained that the beneficiaries, falling within the new organization, have forfeited the character which entitles them to its enjoyment? What act have they done to deprive them of the description of persons for whose relief its proceeds have been permanently devoted?

It is not pretended but that they are still travelling preachers in the Methodist Episcopal connexion and communion, subject to its doctrines and discipline, and devoted to the accomplishment of that mission for which the church was planted in these United States, nor but that the field of their labours is within the domain covered by its original organization. A new construction of its polity, within this limit, has been determined upon by its highest judicatory, in order that the great mission may be more harmoniously and more effectually carried on. For this purpose two distinct ecclesiastical organizations—we may say identically the same—have taken the place of one—the same discipline, faith, and doctrine—and all united in spreading the same gospel and teachings throughout the land.

Assume, therefore, that the general conference were disabled, on account of the sixth restrictive article, from apportioning their fund, still, if the complainants bring themselves within the description of the beneficiaries, they are not thereby deprived of it. The law steps in and enforces the right. Holding this relation to it, and not having forfeited it by any wrong act of their own, or by any cause set up against them, it is not in the competence of the general conference and annual conferences combined, to deprive them. Their right rests upon established principles of law and equity, which make it the duty of a court of chancery to interfere and see that the fund is properly administered.

Looking at the position of these complainants, and those they represent, on account of the action of the general conferences of 1844—dividing the ecclesiastical organization and substituting in its place two distinct, independent judicatories—it is by no means certain that this distribution is in contravention even of the sixth restrictive article. That appropriates the fund for the benefit of the travelling supernumerary and worn-out preachers, their widows and orphans. It is this description of persons to whom it is destined by the adjudication of the court. They are not only within the description, but are also the very persons heretofore in the enjoyment of it, and for whom it was originally designed.

Granting that these persons have done no wrongful act, but are still labouring in the church, as heretofore, except under a different merely territorial organization, they are covered by the spirit, if not by the letter, of the restrictive article.

Upon the whole, our conclusion is that the complainants are entitled to their share of the produce of the Book Concern, and a decree will be ordered accordingly. Whether the funds shall be administered by an application of the produce *pro rata*, or by an apportionment of the capital, are qusitions reserved until the settlement of the decree.

We had hoped that this unfortunate controversy would have been amicably adjusted by the parties, agreeably to the suggestion of each of the learned counsel at the close of the argument, and in which the court cordially concurred. But if the views we have taken of the case, and conclusions we have arrived at, shall tend, in the least degree, to heal the unhappy divisions, and restore brotherly affection and Christian friendship, among so highly useful and distinguished a body of Christians, we shall not regret the labour we have bestowed in deciding it.

National Anti-Slavery Standard.

**** *All communications for the paper, and letters relating to its pecuniary concerns should be addressed to* Sydney Howard Gay, *New-York.*

†‡† *Donations to the Treasury of the* AMERICAN ANTI-SLAVERY SOCIETY *may be forwarded to* Francis Jackson, *Treasurer, at Boston; or to* Sydney Howard Gay, *New-York.*

NEW YORK, THURSDAY, NOVEMBER 27, 1851.

THE SLAUGHTER OF THE INNOCENTS.

In another column may be found an account of the terrible catastrophe which occurred, last week, in this city, and which has been, since its occurrence, the one topic of thought and of comment among the people, and by the press. So singular a calamity, hurrying forty-two little children to a terrible and unforeseen death, bringing heart-rending anguish and unspeakable sorrow into hundreds of homes, appeals to the best and tenderest feelings of the human heart, sends a thrill of horror through, and spreads a gloom as palpable as a funeral pall, over the whole community. When the first shock of so terrible a disaster passes away, and to the keen sense of sympathy, among those not immediately concerned, comes the power of thought, some painful questions arise and demand solution. Could the possibility of such an accident have been foreseen? Could it have been guarded against? Could it have been rendered impossible?

The immediate cause of the occurrence is patent to everybody, and the inquest of the Coroner, we trust, will pointedly condemn the slight barrier which interposed between any crowd, even of children, and the certain destruction which must have followed its forcible removal. But if no civil authority shall call attention to this, now so obvious, fault in the construction of this, and similar public buildings, and to the long recognised necessity of doors opening outward in such places—which, had it been attended to in this case, would, doubtless, have averted much of this sacrifice of human life—it will be impossible to turn the mind of the public from the conclusion that to these defects in architecture is to be ascribed this sad calamity. The criminal public negligence which could construct, and leave unguarded, a deep trap into which these panic-struck children could precipitate themselves to die by suffocation, though it can not be reached for punishment, will be recognised and remembered, and the terrible lesson, it is to be hoped, will not be altogether in vain. It matters little whence the panic arose, whether from the cause generally ascribed for it—the indisposition of a teacher—or from an alarm of fire created by some persons without the building, and their calls to the children to escape for their lives; the terrible consequence would not have followed, but for the deficiency and mistake in the structure of the building. Those around whom the highest and holiest affections cluster, can not thus be hurried to speedy, sure, and terrible death by scores, without rousing investigation into causes, and an intelligent determination that no such results shall again be possible.

But there are other lessons, it seems to us, which we may learn here; other and more remote causes, to be looked for, leading to the sacrifice of human life, which may not perhaps, be so generally observed and inculcated. To many minds the religious aspect of such an event is the most important, and appeals with the most force; and doubtless the occasion was improved in every pulpit in this city, on the last Sunday, to enforce the necessity of readiness for sudden death, the uncertainty of life, the duty of submission, and the dependence of the creature upon a Creator whose ways are past finding out, and whose laws are as immutable as they are inscrutable. With such topics it is not our province nor our wish to meddle, nor, in the multiplicity of such counsel, is ours needed. They who are comforted by such consolation will not hunger and thirst for the want of it. But that defect in our national character, which makes it necessary so often to inculcate religious submission, and to assert the supremacy of the laws of Creation, is not so likely to receive its due share of attention.

As a people, we are reckless of human life. It is not merely that we are ready to sacrifice the individual for the good of the whole, but that the physical, as well as the moral and intellectual life of each particular man and woman among us, is of no value, only so far as it conduces to our greatness and vigour as a people. The man is nothing; the American everything. The character we covet is in steamers, and clipper ships, in railways and locomotives, in extent of territory and in crops of cotton. We are intensely vain and intensely selfish as a nation; but as individual men, we are without character, and without purpose, except to make money. Our only great men are our moneyed men, and those whom the possession of political power gives an influence upon the moneyed interests. We value men as we value steam-engines, for what they can do. When one is worn out, another can take its place. If one or many are 'smashed up,' it is the price of speed and power, and the only question is one of cost. Iron and wood, blood and bones—what are they good for but to be used? That is of the least value which costs the least; and that too often is the human machinery. The risk of the loss of human life is taken readily rather than incur greater cost in materials, or in time, or even in knowledge, in the construction of buildings, of railroads, of steam engines, of ships, and of boats. But then, in the long run, we build quicker and cheaper; we run farther and faster on land; and make as quick or quicker passages on sea and river. It is human life that pays for it all; and the habit and character of a people, when vicious, must sometimes have such terrible results as in the Slaughter of these Innocents.

And we are not only reckless, but cruel also; and our recklessness and cruelty have a reciprocal relation. Our slaveholding has made us a hard-hearted people, till we are now, what our fathers would have shuddered at the thought of being—slave-hunters. We are becoming familiarised to the worst form of cruelty, where men care less for the life of a human being than for the life of a dog. Can we be so indifferent to the life and the happiness of our neighbour, and his child, a hundred or two miles away, and hunt and brand or brain them, when they come among us; and yet be tender of the life and the welfare of our neighbour and his child in the next street? Never! When we learn to be humane, we shall begin to be careful of the lives of our fellow-creatures, and shall ask ourselves, first of all, in anything we undertake—will it do no harm, but only good, to ourselves and those for whom we labour? But we shall value God's Children more than Unions, and Constitutions, and Cotton crops when that time comes; and then, and not till then, will the cries of the maimed and the dying at our own doors, killed through our recklessness, cease; and till then such terrible retributions as this which has just come upon us, falling, like the rain, upon the just and the unjust, will sometimes overtake us.

The Syracuse Case.—The Grand Jury at Buffalo have found true bills against 25 persons charged with the rescue of Jerry at Syracuse. The warrants, however, have not yet been executed, and the names of the persons accused are suppressed.

☞ The *Boston Courier*, speaking, probably, by authority, of the probable retirement of Mr. Webster from the post of Secretary of State, says:

> His great work has been accomplished. The perils that threatened the Union have been warded off; and the healing measures designed to restore harmony in the nation have been established on a firm foundation.
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> * * *
>
> Mr. Webster, whose health now demands some continued relaxation from official toil, withdraws at a favourable moment and under very appropriate circumstances. The country tranquilized—the Constitution successfully defended—the supremacy of the laws vindicated—the authority of the Federal Government maintained, the elements of domestic union strengthened, and the national honour vindicated abroad, the great American statesman bids adieu to the cares of office and becomes, only for a time, we trust, a simple citizen of the United States. A voice will arise from the American people next year, if we mistake not, that will recall Cincinnatus from his farm. The title of President, indeed, can add nothing to heighten the honour attached to the name of Daniel Webster, but we hope and trust that this great country will promptly use the occasion now before it, to repel the charge so often repeated, that republics are ungrateful.

—If the length of the stay of this Cincinnatus upon his farm is at all dependent upon the will of the people of the country, the agriculturalists of Massachusetts, we have no doubt, are about to receive a stable, as well as distinguished addition, to their number. He will become what Miss Susan Nipper would call a 'permanency' in the salt meadows of Marshfield, if he waits for any 'next year's' voice to call him thence. The tranquility of slave-hunts—the healing measures of shooting slaveholders, and pitching fugitives upon red-hot stoves—the vindication of the laws by trials for treason of innocent persons upon frivolous pretexts—the maintenance of the supremacy of the laws of the Federal Government which submits, upon compulsion, to their complete defiance in some cases—the strengthening the bonds of Union by sometimes sending back to bondage some poor fellow at immense expense—and the complete defeat of the Whig party everywhere on the issues growing out of this state of things—are all receiving their due consideration by the people, according to their various predilections and their degrees of latitude, but all agreeing to consider Mr. Webster as the man above all others as chiefly and immediately responsible for them. We shall see what will come of it in due time.

The *Pennsylvania Freeman* copies from a New York paper a very ungentlemanly and wanton personal attack upon Mr. John Scoble, of London, the indefatigable and faithful Secretary of the British and Foreign Anti-Slavery Society, and in the next column copies from *The Independent* Mr. Beecher's article on "Honesty to our Adversaries" Better to have given the last first and the first not at all.—*N. Y. Independent.*

If the *Independent* thinks the attack of the "New York paper" ungentlemanly and wanton, is it no tworth while to show wherein it is so? The articles in question have been copied not only into the *Freeman*, but into the *Liberator* also, have been read, by this time, by thousands of people, and, so far as we can learn, the charges contained in them are considered as fully substantiated. Mr. Scoble, we think, may very reasonably complain of his friends in this country being rather backward in his defence.

On the Paragraph in the *Independent* the *Freemen* says:

> The readers of *The Independent*, who are not permitted to see the article which the itemizer of that journal characterizes as "a very ungentlemanly and wanton personal attack," and from whom are artfully concealed the facts which that article presents, and which neither Mr. Scoble nor any of his friends dare to deny, will no doubt infer from the above that *The Pennsylvania Freeman* must be a very bad paper. Nevertheless we feel no compunction whatever for copying that article, because we believe it was called for on the part of *The National Anti-Slavery Standard* (styled 'a New York paper' by the 'gentlemanly' itemizer aforesaid), and that it was due to the readers of The *Freeman* that we should lay it before them. In this there is no want of 'honesty to an adversary,' since we have published only what we believe to be true and justifiable, and hold ourselves in readiness to publish Mr. Scoble's reply to the charges which have so often been brought against him both here and in Great Britain, whenever he shall see fit to break a silence which, in view of all the circumstances, we must regard as a virtual confession of guilt.

The "Frederick Douglass' Paper," in reply to some comments of ours upon its recent attack upon George Thompson and R. D Webb, avers that the article in question was written by Mr. Douglass himself. We have nothing more to say than that we hear this avowal with sincere regret.

Mr. Douglass takes occasion, at the same time, to make a comparison, very much in his own favour, between his and our natural ability. On this point, certainly, there can be no question between us. His estimate of us, however low, could not be more modest than our own; nor is it likely that he will ever claim for himself more merit as a man of transcendent talent and untiring energy, than we shall most willingly accord to him as pre-eminently his due.

The Methodist Episcopal Church.—On the first page of this week's issue we copy the decision of Judge Nelson in the great case of the Church South *vs.* the Church North. It is a succint history of the division in the Methodist Episcopal Church, and the decision is hailed by the *Journal of Commerce*, the *Herald*, and other papers who love the peace of complicity in guilt, and fear the discord that purifies from evil, as the harbinger of renewed good feeling in that great denomination. The continued division is denounced as endangering the political Union of the States, and all good Methodists are exhorted to unite with the slaveholding Church as an act of patriotism. What may be the effect of this view of the question remains to be seen. The *Advocate and Journal*, the Methodist organ in this city, shows as yet no contrition, and makes no promises that its views of Church action will be influenced by its political duty as slave-catcher.

The Spread of the Gospel according to the A. B. C. F. M.—At the last meeting of the American Board of Commissioners of Foreign Missions, the Rev. Mr. Tracy, of the Madura Mission, said that "when the Missionaries first went to Madura, there was but little room for labour The people were afraid of us—*they thought we should make their children slaves.*" If the Madura people were disappointed, they may consider themselves far more fortunate than some of the poor people in the South west Territory to whom the Gospel was carried by certain emissaries of the American Board.

☞ The Coalitionists of Massachusetts have, without doubt, gained a majority in the Legislature by the election this week.

Extract from a letter of Wm. P. Powell, dated On Board Packet Ship De Witt Clinton.

My dear friend Gay: In a few hours, with a strong breeze from "old blow hard," and a few rolls of ocean's billows between you and myself, and I shall be beyond the reach of American Institutions; Institutions without a parallel in the civilized world. To enumerate their peculiarities would be a waste of labour and time. Much has been said in praise of them; the Pulpit—the Press—the State and National forums have groaned under the weight of religious and civil declamation in admiration of the wisdom of the Temple whose foundation and chief corner stone is Slavery. How long, oh! how long shall men, women, and children, be sacrificed on the altar of this god of oppression? how long shall humanity's voice be stifled by the din and clamour of his worshippers? It is the voice of a god they exclaim, and *you* who oppose must *obey* it. Great God, shall it be so! Shall this wicked nation trample the poor black man in the dust any longer? Oh! for another miracle, another manifestation of thy displeasure, such as befel Herod, the persecutor of *thy people*, in the days of the apostles!

Sorry I am to leave you, but the way of duty is the way of safety. I have *tried* to do my duty to my *brother* man, whilst with you, and I mean to be found trying, not forgetting my family, wherever it may please God to cast my lot.

The success of my undertaking I leave in the hands of God; in Him do I put my trust; may I never be confounded.

Farewell, my friend; be true to principle; be true to the slave, and comfort my afflicted nominally free coloured countrymen, and the blessings of them that are about to perish, and the approbation of "Our Father, who art in heaven" "well done good and faithful servant," &c., shall be your reward.

Mrs. Mercy A. Powell, Wm. P. Powell, Edward B Powell, Sylvester H. Powell, Mary O. Powell, Isaiah A. Powell, Sarah A. Powell, and Samuel Powell, wife and seven children, accompany me in my journey to England. You will confer a favour by publishing the names, for the information of my relatives and friends.

Truly and faithfully yours, in the bonds of American Slavery, William P. Powell.

Monday, Nov. 17, 1851.

THE GREAT CALAMITY.

THE KILLING OF THE CHILDREN.

From the reports made in the Daily papers we collate the particulars of the terrible catastrophe in this city, last week, by which forty-two children came to an untimely and terrible death.

Just as our paper was going to press last evening, (says the *Post* of Friday) this city was the theatre of one of those appalling casualties, which, like lightning from a clear sky, seem to set at naught all human forecaste and prudence, and illustrate with frightful impressiveness, the uncertainty of human life.

About half-past two in the afternoon, the principal female teacher in Ward School No. 26, in Greenwich avenue—Miss Harrison—(it would be useless to withhold the name, which is destined to be innocently, yet so closely associated in the public mind, with the terrible event we are about to describe)—was suddenly seized with a paralysis of the tongue, while engaged with a class in the recitation room, in the rear of the third story.

The contortions of her face which followed her efforts to articulate, alarmed her pupils, and supposing she was fainting, they rushed to the door opening into the large room adjacent, which was occupied by several hundred pupils, and screamed for "water." The children in that room, supposing the water was wanted to put out a fire, sprang towards the outer door in a mass, crying "fire! fire!" with frightful energy. Their screams attracted the attention of Miss Whitney, who had charge of the primary department on the floor next below, who opened her door, and on the instant, so contagious was the terror, she was swept by the pupils behind her, out into the hall, eddied into the current descending from the story above, and carried down stairs towards the basement. She then tried in vain to resist the crowd and return.

We should here mention, that from the basement floor, as one enters the building, there is a stairway leading by a series of short stairs and landings to the top of the building, making a right angled instead of a spiral staircase, and forming a sort of well about ten feet square from the roof to the basement floor which is used mainly as a play-room, and flagged with stone.

While Miss Whitney was striving to return, the children came rushing down the stairs in accumulating masses, until the stair-way was choked up; the outer door communicating with the street being locked, as is the custom, we believe, during school hours. The pressure from above, however, still increased, and then followed a scene of horror which no imagination can adequately conceive nor language describe. The balusters which guard the stair-case gave way, first near the bottom, and then the adjacent rails being proportionately weakened, gave way from step to step, and stair to stair, and were precipitated with the poor distracted and suffocating creatures who were crushed against them, headlong into the pit beneath already crowded to suffocation with those who had been first to reach the bottom of the stairs, in their attempt to escape to the street. Unappalled by the spectacle before them, the children from above—there were 1851 in the building, (precisely the number of years since the birth of Him who first proclaimed to "these little ones," that of such is the Kingdom of Heaven—came pouring down from above, crowding those before them off the staircase into the pit below, which was rapidly filling with the bodies of the wounded, the suffocating, the dying, and the dead.

The sight of all these horrors seemed only to aggravate the terrors and the desperation of those who witnessed them, and before any check could be given to the torrent of death, the area or pit we have described, was filled with human bodies from the basement to the third step of the stair rising from the second floor. There, lay full fourteen square feet of human bodies, which fifteen minutes before were animated by cheerful and happy hearts, now perishing with bruises and suffocation. But this was not the only gate of death opened to these poor terror-stricken creatures. Many finding their escape through the front door cut off, tried to escape by the back way, where also, by suffocation, one or two perished. Others leaped from the windows and were dangerously wounded. An alarm soon spread through the street, that the school was on fire. An engine company was promptly in attendance, and a large body of police. The front door was opened, and there was presented to their eyes, the awful spectacle we have attempted to describe. As it was impossible to get up the stairway until the bodies were removed, as many as could assist at this sad office proceeded to transport the wounded and the dead to the station-house, only a few doors distant. Under the impression that a fire had occurred, and might be raging in some part of the building, others of the firemen fixed their ladders to the walls and strove to secure an admission to the windows. Even here they were met by the inmates striving to make a desperate escape to the street. One of these scenes is thus described in the *Times* of this morning:

> "While those attracted by the cries at the school-house were engaged in extricating those who had fallen down, their attention was arrested by a small boy, who, holding a younger brother by the hand, stood in an open window, urging him to jump to the pavement, and calling to some person 'to catch brother Tommy.' 'Jump, Tommy,' said he, 'jump, and I'll jump, too.' A gentleman, looking up, had just time to raise his hands and make an effort to catch the boy as he leaped from the window. Fortunately he succeeded in catching him, and then his brother followed, whom he also caught. The example once set had ready followers, and these little fellows, to the number of twenty, were thus caught as they jumped. They probably would, unfrightened, have hesitated to jump one-quarter of the distance—but, almost frightened to death, they thought not of the danger before, in their strong desire to escape the awful abyss behind them, into which so many of their classmates had been driven. But one of the nineteen or twenty thus liberated, uttered a word as he was placed in safety. One, as he was caught, exclaimed, "Good bye," and started for home. When, at last, order was restored, and the children up stairs were liberated, there was upon every face that passed out from the building, although an unearthly look—a wild, bewildering stare, as though they had passed from the very jaws of death."

It was soon discovered that there was no fire, but the horrors of the scene were not destined to experience any diminution, for by this time the news of the calamity, not exaggerated but greatly distorted, had spread through the neighbourhood, and mothers and sisters of the pupils, half distracted, came rushing through the crowd with ghastly faces and frantic gestures, to ascertain the fate of their kindred and friends. By this time most of the bodies had been removed to the police station, whence, as fast as they were recognised, they were borne away to the homes of their stricken parents.

A number of physicians were promptly in attendance at the Station House, to render such professional assistance as could be made available; but unhappily, that was not much. We believe that all the dead were suffocated. There was not a drop of blood spilled about the building—not even upon the stone pavement upon which the pile of victims rested. Before the ballusters gave way, the lower area was so densely packed that those who tumbled from the stairs did not strike the pavement, but fell upon the heads of those below, and in their turn were rapidly covered with the bodies of others which succeeded them.

We visited the awful scene of this disaster about an hour after it occurred. The building was empty. The first object which struck our eyes was the scathed and naked stairway, and the fragments of the shattered balustrade strewed over the basement floor. The balusters were not strong, and it is now easy to perceive that they should have been much stronger for a building, the uses of which necessarily subjected them to a heavy pressure in the daily discharge of one to two thousand children.

We passed on to the school rooms, where everything remained precisely as it had been left by its flying occupants. The open books, the slates covered with exercises and half-finished sums, piles of hats, cloaks, and other garments of the children, and innumerable memorials of the populous school room, were strewed about upon the desks and over the floor, all possessing, in their abandonment, a fearful interest.

The suddenness of the alarm and the overwhelming rush which was made for the door, seem to have taken the teachers by surprise, and to have communicated to them a portion of the terror from which the disaster sprung. It is, however, to the self-possession of one of the number, Mr. McNally, principal of the male department, that we owe the closing of the door of the apartment under his charge, which prevented its inmates from escaping and contributing their distraction and lives to the horror of the scene. Had his self-possession failed him at this critical moment, the loss of life must have been terribly aggravated.

The calamity which we are called upon to deplore is too recent, and the facts are too imperfectly ascertained to warrant us in indulging any theories of censure or exculpation, much less do they warrant the homilies which we find in a morning journal about the cowardice of children three-fourths of whom were under ten, and all under sixteen years of age; but we do feel called upon to protest against the accumulation of such masses of scholars in any building, however firmly constructed, as were assembled in this school house. It is impossible to ventilate such a crowd properly, in so narrow a space, even if gathered in the open air; it must be seriously prejudicial to their health when shut up for six or eight consecutive hours in a building covering an area of less than one hundred feet square.

The collection of such masses is always more or less dangerous and liable to unforeseen casualties, and because it is unnecessary, will fix a criminal responsibility upon those who perpetuate the system after this terrible warning. If we can afford to build churches, costing from a quarter to a half a million of dollars each, to be occupied only one or two days in the week, we can certainly afford to multiply our school houses sufficiently to accommodate every three or five hundred of the hundred thousand pupils daily assembled together, in this city, with separate and suitable edifices.

For the information of parents interested in this school, and the public, we may here state that the public school buildings in each ward, are under the custody of a Board of Five Trustees, under such rules and regulations as the Board of Education may adopt. The Trustees for the Ninth Ward, at present, are—

John W. Latson, 179 Broadway.
James W. Booth, 85 Bedford street.
James H. Townsend, 701 Greenwich street.
Gregor McDonald, 10 City Hall.
George P. Nelson, 97 West 13th street.

The following is a list of the Teachers employed in the school in question:

MALE DEPARTMENT.

Francis McNally,
Josiah H. Zabriskie,
Wm A. Herring,
Edith L. Ashby,
Anna R. Dunbar,
Lewis W. Annan,
Joseph A. Stickney
Phebe J. Walley,
Olivia Edmonds,
Laura H. Gildersleve.

FEMALE DEPARTMENT.

Abby Harrison,
M. Louisa Scott,
Margaretta S. Smith,
Julia Van Vleck,
Margaret S. Arnout,
Cornelia S Barnes,
Sarah F. Wixen.

PRIMARY DEPARTMENT.

Susannah Whitney,
M. Louisa McFarlane,
Mary E. Higgins,
Angeline Horton,
Hannah Clinton,
Caroline Ebaugh,
Maria V. Kohler,
Helen M Spence,
Ellen D. Traphagan.

2 o'clock, P. M.

We have just received the following additional particulars from one of our reporters, who has just returned from the scene of the disaster, which is followed by a brief sketch from the pen of one of the teachers in the male department:

The excitement about the scene of the late disaster is not in the least diminished. Many opinions wers expressed in relation to the cause of the calamity. Some attributed it to the frail manner in which the balusters were put up, and from the appearance they presented, there certainly seemed some ground for the complaint.

Each baluster was secured at the base, where it fits into the step, by but one nail, driven first through an outside lining called a bracket, which is a piece of pine about twelve or fourteen inches long, two inches broad, and about three-quarters of an inch or an inch deep. This bracket is the only support for the baluster against a pressure from within, and it may easily be conceived how such a frail support should give way before the crush of more than a hundred children.

From the second story to the basement, the balustrades are literally swept away, with the brackets, a few only of which remain hanging by the nails It is well to state that the material of which the balusters are made is of the best description of wood, and capable of bearing a great pressure; but the defect is evidently in the slight manner in which they have been fastened at the base. The Coroner's inquest, which will take place sometime after three o'clock this afternoon, or to-morrow morning, will doubtless give this subject careful attention

It is rumoured that some of the teachers, or parents of the children at school in this building, had made two or three applications to the trustees to have better balusters substituted for those destroyed. This is merely a rumour, and it is probable that the Coroner's inquest will prove that it had no foundation in fact.

The building was surrounded this morning by an eager crowd of persons, anxious to obtain further information of the calamity. Among these we noticed the relatives of some of the children who had been killed, and who had come to recover their clothes. The sight presented by their woe-stricken aspect was saddening in the extreme, and calculated to strike those who saw them with the most melancholy feelings.

The interior of the school was filled with persons discussing the cause of the accident; and some of the pupils, who collected in little knots, told to each other some particular incident of the calamity in which they were participators. One boy, we learned, who was among the first to rush out of the door in the general panic, instead of running down stairs with the mass of his schoolmates, took the contrary direction, and from the landing above, witnessed the fearful destruction of human life which followed.

A great portion of the clothes of the killed and wounded were taken to the Jefferson Market Police Court, where some of them have been identified.

Letter from a Teacher.

Thursday Evening, Nov. 29 1851.

Messrs. Editors: I take an opportunity to give you a few facts in regard to the sad and fatal calamity which occurred this afternoon at Ward School 26, situated in Greenwich avenue, at the head of Charles street. The accident happened at about two o'clock, and the circumstances are as follows:

There were, at the time, about eighteen hundred children in the three departments. The Principal of the Female Department, while engaged in teaching, suddenly fell prostrate in a fainting fit. The young ladies were much excited and alarmed, and gave utterance to their fears in shrieks and cries, and many of them rushed into the adjoining apartments.

The children of the three departments, hearing these screams, and supposing that the building was on fire, became so much excited that the teachers lost all control over them, and then a general rush was made for the door. The children of the primary department filled the first flight of stairs, and the entry below so closely that the doors, which opened *inward*, could not be opened The children of the Female Department, rushing out, were soon checked by the *jam* below, and the stairs were so crowded that the railing gave way for two flights, and the children upon them were precipitated upon the heads of those below, some of them falling fifteen feet. The scene which ensued is beyond all description. The children were piled indiscriminately, in an area of about ten feet, to the height of nearly as many feet more, where many were suffocated or otherwise killed. The boys from the Male Department rushed down the back stairs, and were stopped by a door, which, like those in front, opened inward, and the back stairs presented a scene similar to that in the front entry, and one or two were fatally injured here. Many boys leaped from the windows—some of them from the second story. The bells were rung, and the streets in front were soon filled with distracted parents, and the excitement in and around the building was immense.

The whole and sole cause of this melancholy casualty was simply the fainting of the teacher, and the cries and shrieks of the members of her class, which were mistaken by the other scholars in the building, as an alarm of fire, and which so suddenly filled them with fear, that the teachers lost all control over them, and could not prevent the rush to the doors.

A Teacher in the Building.

We have obtained (says the *Herald*) some additional intelligence in reference to the melancholy event which occurred at Ward School No 26, in Greenwich avenue, on Thursday afternoon. The scene of the disaster was visited yesterday morning, and, in fact, throughout the day, by multitudes of people, anxious to look at the building, and the precise spot where so many innocents lost their lives. Besides those who were attracted by mere idle curiosity there were others who, in the sadness of their bereavement, could not forego an inclination to inspect, personally, the stairway and the well-hole, of which so much had been said and written. These were a sad company and one might discern at a glance, whether the inspectors of the building were mourners of this character, or mere spectators, induced by curiosity to visit the place. There was the greatest unanimity in reference to one thing, viz: that the stairs were badly arranged. The banisters were not sufficiently strong nor high enough to answer for protection where protection was most needed. They might answer for a private house, where there was no probability of there ever being occasion to use them: but they were quite insufficient when the fact was considered that the lives and safety of limbs of eighteen hundred children might depend upon their strength. Another ill devised thing was the hanging of the outer doors, which opened inside. This is always looked upon as a bad arrangement for public buildings; and the sad fate of the victims who perished in the flames which burned the Richmond theatre, and other catastrophes of a like nature, have long since taught careful architects and proprietors that the outer doors of public edifices should always swing outside. Had this precaution been observed in the school house No. 26, many of the children who were killed would have escaped, if indeed, the catastrophe had not been altogether avoided. The fact was in this lamentable instance, that the children of the primary department hastened into the entry below, and completely filled the space between the front doors and the doors leading to the play ground. Then came the children from the female department, and, rushing down the stairs, choked them up. The front door was locked; there was no egress below; no giving way of the crowd; but a complete and positive resistance; and when this resistance became sufficiently great to separate the balusters from the wood work at their foot, away went the railing, and the terrible consequences, already mentioned, followed. Now—say many—if the front doors had been open, the crowd would have found gradual egress, the resistance on the stairs would have been less, the sight of the open doors would have inspired hope of deliverance in the minds of the children, and although, doubtless, the consequences would have been serious, yet, in the nature of things, the deaths from suffocation would have been far less in number than they were. As to the banisters themselves they have, as we are told, been looked upon with ill favour ever since the construction of the building. In the returns of the Captain of the Ninth ward police to the Chief, the following remark occurs: "It may be proper here to observe that several carpenters, and others, who examined the banisters and stairs, pronounced them dangerous, and badly constructed." Let the blame rest on those who deserve it. Several contradictory reports are in circulation as to where the banisters first gave way. One report says they gave way first at the bottom. This cannot be the case, for a part of the lower section was in its place after the fatal accident had occurred. The most probable conjecture is that the railing parted at the third turn, where was a joint. But it is useless to conjecture; the whole construction of the stairway seems to have been badly adapted to the purpose for which it was intended, and sadly fatal has the error proven itself to have been. It was desirable to have light in the staircase, and hence the construction of the balustrade, instead of a more firm enclosure. But the columns or balusters should have been at least well secured, which seems not to have been the case. We have a piece of the wood work at the base of two of these balusters; it is the strip of wood that held two columns of the balustrade in their place; and taking this as a sample of the whole, it was certainly an insecure fabric. This strip is, we believe, called a bracket, and through it were driven two nails, which went through it and penetrated the stair about an inch and a half. These two nails then, or an inch and a half of them, had only to be drawn to set that part of the balustrade at large. It could not be otherwise than that a hard pressure from within should cause this to give way. Such was the fact; and from the ground floor to the height of about twenty feet, all the banisters, and almost all the brackets are swept away, and this would seem to prove that had there been relief by egress from this section, the disaster would not have been so great as it now is.

At an early hour yesterday morning the police gathered up the satchels, caps, bonnets, shawls, shoes, and other articles of apparel, belonging to the children. Capt. Seabring has now in his possession at the station house quite a number of articles of value, such as silver combs, pencils, and trinkets, all of which will be delivered to the rightful owners whenever called for and properly identified. The police office was thronged yesterday with children, most of them girls, who called to pick out articles which belonged to them. But there is yet a heap of unclaimed garments and school boy and school girl appurtenances, which tell a sad tale. Their former owners will never claim them. It is melancholy to behold these little relics. Yesterday a band of school girls came into the station house, and one bright little Miss, acting as spokesman for her companions, said to the captain "Will you tell us, sir, where the poor children were laid yesterday, when they were brought from the school house?" The captain directed her to the back room, and it seemed to be a mournful satisfaction for this band of children to see the place where their companions were laid in their agony, or where their limbs were adjusted in death. The officers of the police station—Captains Lovett, Taft, and Seabring—were assiduous in their endeavours to aid all who sought their assistance. And, by the way, we have one word to say about the conduct of the police on Thursday, at the time they were first notified of the disaster. The first intimation they had of the calamity was through some person who came into the station house in haste, and said the schoolhouse was on fire. Captains Taft and Seabring being in the station house at the time, immediately started for the scene of the supposed fire, accompanied by all the policemen in the station house, including the bell-ringer. When they arrived at the school-house, they found the main entrance to the building closed by the mass of children which lay in a heap full six feet in height, while others were continually jumping down from above. The policemen went to work at once, taking out the children as fast as possible. Some ten minutes after the police arrived the bell struck the alarm for fire, and the firemen arrived and lent their aid in removing the bodies of the dead and wounded. The conduct of the firemen is spoken of in terms of the highest praise by the officers of the police. The balustrade was broken down before the firemen arrived, and it was impossible for them to get inside for about fifteen minutes after they first arrived on the ground.

The *Tribune* adds some further particulars:

Many instances of heroism and self-sacrifice on the part of the children are told. One poor girl who was on the staircase after the balustrades had gone, feeling herself fiercely pressed toward the edge of the fearful gulf, threw her arms around a younger girl, next to her, who, having more support, stood in no immediate danger. The little one, feeling the grasp of her friend, said "Anne, let go, please, or you will drag me down with you." And Anne did let go. A few instants she kept her footing, then reeled and fell upon the mass of sufferers below, where she suffered speedy death.

An instance of fraternal devotion is told of one Alfred Gage, who, after reaching the ground floor in safety, saw his brother on the fatal staircase, vainly seeking to retain his footing. Alfred attempted to stem the living tide, and to make his way through it to assist his brother, but his efforts were fruitless, and placing himself below the little fellow, he told him to spring down, a height of twenty feet. Thus called upon, the boy made the frightful leap into the arms of his brother, and both fell among the dying and wounded, without being the least injured.

At the time of the alarm, Miss Mary E. Higgins, one of the teachers of class K, had 80 children, from 7 to 10 years of age, in a class room 16 feet square. The panic seized them, and she could not restrain them. They escaped from the room, and three were killed; some of them jumped out of a window. The little ones were completely beside themselves, and quite a number began to take off their clothes and shoes. This was a singular move, but being commenced by some of the scholars, the rest followed their example, not knowing what they did.

There are many instances of painful mental suffering connected with this affair, but they are of a nature that forbids public delineation. We hear of two or three instances where the bereaved parents have manifested unmistakeable signs of insanity. Such a dreadful misfortune, occurring at a moment and in a place where the most perfect security was the natural and reasonable anticipation, was quite sufficient to upset the firmest mental faculties.

Among the singular escapes which have come to our knowledge, we mention the following:

A girl of about 10 years of age jumped from one of the windows of the Female Department and was partially caught by a man who saw the act. The girl escaped with only a sprained ankle, while the man was quite seriously bruised by the concussion.

We have seen a young lad, who insists that we shall not mention his name, who almost fought at the door of one of the class rooms in the Female Department to prevent the scholars from rushing into the hall. He made the most manful struggles, but was finally forced along with the current, and came very near getting down the dreadful precipice at the front stairway.

One girl, about nine years old, came within a hair's breadth of destruction. She had been forced over the precipice by the crowd, but it chanced that her dress caught upon a projecting fragment of the baluster and held her for at least a minute over the yawning gulf. She was finally rescued by some boys, who took her down into the hall of the Primary Department.

THE CORONER'S JURY—VISIT TO THE DEAD.

On Friday, Alderman Ball and Justice Bleakly, acting coroners, empannelled the following gentlemen to act as jurors during the investigation. Before the jury were sworn, Justice Bleakley remarked to them, that as the case which they were about to investigate was attended with extraordinary circumstances—as the jury had already been advised through the public papers—and in the absence of the coroner, he declined to act alone in the matter, and had therefore called in the aid of Alderman Ball. Sixteen jurymen were then sworn, and under the advice of the Justice they retired, and appointed their foreman and two secretaries. The following gentlemen constitute the jury:

1. Moses G. Leonard, Foreman.
2. John J. Davies, and
3. Wm. E. Smith, Jr., Secretaries.
4. Wm. B. Meech,
5. Wm. Mandeville,
6. Wm. H. Gedney,
7. David H. Dick,
8. Thomas Webb,
9. Homer Tilton,
10. Charles Crane,
11. Wm. W Warner,
12. Wm. J. Roome,
13. Charles Oakly,
14. Wm. Rhinelander,
15. Joseph Park,
16. Thos. O. Buckmaster.

The jury now being fully constituted, Justice Bleakley proposed to them the propriety of filling up certificates of burial, setting forth the cause of death by injuries and suffocation at the school house, and these certificates to be given to the parents of the deceased on the jury viewing the bodies—thus to enable the parents to bury the bodies, as the investigation might possibly consume several days. The proposition was put to the jury and a ready concurrence was manifested by all. Drs. Lidell and Franklin were the examining physicians. Two stages and carriages were then procured, and the jury, headed by Alderman Ball and Justice Bleakley, proceeded to fulfil the duty assigned them, accompanied by several reporters of the public press. The task was one of the most heart-rending character—visiting the houses of the dead and witnessing the afflicted and heart-broken parents lamenting over their sudden bereavement of their children.

The unfortunate victims, with but one or two exceptions, looked beautiful in death—some even bore a smile on their countenances, and appeared to be only asleep, or listening to an angel's whisper. This mild expression is attributed to the fact of suffocation. The second house visited was No. 30 Greenwich avenue, occupied by Mr. Woolley. Here was a picture, indeed, enough to soften the heart of a marble statue. In the parlour, lay side by side, with a boquet on each breast, two of the sweetest looking children we ever beheld. They were brother and sister—John and Debby Woolley—the former nine years and the latter seven—the only remaining children of the afflicted parents. The girl bore a smile on her lips, as much to say, "My dear papa; I'm only asleep; come, kiss me again." We gazed upon this woeful picture, which cruel fate had produced, until our eyes were flooded with tears, and could gaze no longer. Not an eye in the room but what moistened at the sight, in feelings of deep sympathy for the bereaved parents, whose all was gone. The moaning of the afflicted father, who stood almost petrified, while gazing at the lifeless remains of his dear children, was heart-rending. The scene was terrible to witness.

In each case, the foreman of the jury put the following questions to the parent or to the relatives in attendance, as, in some cases, the afflicted parents were too feeble to be present: The name, age, and birth, and if death was caused by injuries received at the schoolhouse on Thursday. On these interrogations being put to Mrs. O'Neil, No. 123 Perry street, (a widow,) whose daughter lay dead, the disconsolate mother replied almost overpowered with grief; "No, my child was not injured at all. I examined her all over; I am sure she died with fright, and nothing else." The physicians, however, thought differently, as, in their opinion, the child was suffocated, which accounted for no external marks of violence. A very exciting scene occurred at No. 146 West Seventeenth street. On driving up to the house, a crowd of persons, principally children, were looking in at the parlor window, gazing on the corpse of Mary A. Penchard, a sweet, pretty child, nine years of age. The body lay with its head raised on a pillow, in the full glare of light—at first all who witnessed the exhibition of the child, were struck with a chill of horror. The matter was explained; a daguerreotypist was present taking the likeness of the deceased, and it was necessary to place the child full in the light for that purpose. The parents begged earnestly of the Coroner to wait a few minutes, until the picture was taken, which was readily assented to. During this time the appearance of the room was solemn and sad. Near the child was the poor mother, sobbing with a broken heart, and around the room were seated the younger brothers and sisters, and several of the deceased's school associates, in sorrowful silence. The artist, in a few seconds, accomplished the picture, the body was viewed by the jury, a certificate given by the acting coroner for burial, and onward passed the jury to the next sad scene.

The dwelling of Mr. Brown was next visited, No. 207 West Nineteenth street, where laid his daughter Antoinette, a beautiful girl, ten years of age. At first some objections were made by the friends of Mr. Brown as to the propriety of allowing the jury to enter, but subsequently consent was given. The Foreman of the jury, as in the former case, asked for the parent, or some one who could give the birth, age, &c., of the deceased. In the space of a few minutes, the father came down stairs, into the parlour. He was pale and feeble, occasioned by the shock on his system at the sudden bereavement. The Foreman had only put one question to him, and, before making an audible answer, the poor man fixed his eyes on the corpse of his beloved child, grew deathly pale, and, with a stifled moan, exclaimed, "Oh! my poor Antoinette, where is she?" His head drooped, and several of the gentlemen present observing he was falling, aided him to the sofa, where he gave vent to other exclamations, such as "Oh! my poor dear child, dear Antoinette," and swooned away. Water was procured, and every exertion rendered to restore him to reason. It was but a short time since he lost his wife; and he now suffers the additional anguish caused by the loss of his daughter, whom he so devotedly loved.

To witness these scenes of deep affliction without becoming deeply depressed in spirits, the human heart must be made of more than stone. We have seen during our career as reporter, scenes of almost every description to be called terrible; but above all, we must confess that the wholesale slaughter among so many beautiful and intelligent children, and the amount of suffering inflicted on the devoted and bereaved parents, surpasses every case heretofore under our cognizance.

The labour of viewing the bodies was very considerable, setting aside the mental agony. It took from 12 o'clock, noon, until near seven o'clock in the evening, before the work was accomplished. We now are enabled to give an accurate list of the dead, forty-two in number; exaggerated reports of other deaths have been put in circulation, but this can be relied upon:

DEAD.

	Names.	*Age.* Y.	M.	*Residences.*
1.	Virginia Mingay	10	0—	19 Christopher st
2.	John L. Woolley	9	0—	30 Greenwich av.
3.	Debby Ann Woolley	7	0—	do. do.
4.	Anna Eliza Sleight	11	0—	34 Factory st.
5.	Sarah Ann Bogart	8	3—	30 Charles st.
6.	Cornelia Ann Cadmus	7	5—	43 Charles st.
7.	Ellenor M. Downs	8	8—	105 Fourth st.
8.	Jane A Young	12	0—	152 Fourth st.
9.	Mary C. Baxter	11	10—	61 W. Washing Pl.
10.	Charles E. Moore	8	0—	21 Jones st.
11.	Henry Stieman	6	3	5 Jackson Place, Downing Place.
12.	E. L. L. Gildersleeve	8	9—	56 Clarkson st.
13.	Elizab'h Van Tassell	11	5—	678 Washington st.
14.	G. W. Quackenbush	9	6—	703 Greenwich st.
15.	Julia Delano	14	11—	659 Greenwich st.
16.	Amelia S Brownell	13	7—	21 Grove st.
17.	Amanda M. Hoff	10	11—	115 Barrow st.
18.	John McMahon	10	7—	68 Grove st.
19.	J. Townsend Knapp	12	2—	2 Cottage row, 11 st.
20.	Harriet E Howell	7	7—	55 West 29th st.
21.	Matthew W. Wood	9	0—	175 West 20th st.
22.	Antoinette Brown	10	6—	207 West 19th st.
23.	Mary Ann Penchard	9	5—	246 West 17th st.
24.	Jane M Dove	10	3—	147 West 17th st.
25.	Catherine B Downey	10	6—	117 West 17th st.
26.	Mary C Jacacks	10	4—	177 West 17th st.
27.	Louisa Cooper	11	2—	123 Eighth avenue.
28.	Abby A. Jacobus	6	10—	109 Eighth avenue.
29.	Margaret Harper	10	9—	135 West 13th st
30.	Morris T. Waldron	9	9—	58 Hammond st.
31.	Ann Eliza Thorp	9	10—	104 Hammond st.
32.	Anna J. Van Geilson	8	0—	127 Hammond st.
33.	Eliza Ann O'Neil	8	7—	123 Perry street.
34.	Timothy H. Abbott	7	8—	745 Washington st.
35.	Hannah Mary Hill	10	0—	747 Washington st.
36.	Lucy G. Carlough	8	2—	746 Washington st.
37.	Jacob S. Springstein	9	3—	75 Horatio st.
38.	Edward S Glenny	7	6—	24 Jane st.
39.	Sarah Bogardus	10	4—	49 Bank st.
40.	Catherine Reynolds	11	7—	49 Bank st., rear.
41.	Solomon Levy	—	—	13 Charles st.
42.	Alfred Pike	—	—	16 Jones st.

All the above were native born, except Margaret Harper, Catherine E. Downey, and Henry Stieman—the first-named was born in Scotland, the second in Liverpool, and the third in Germany. Mr. Latson, one of the school trustees, proceeded with the Coroner and Jury, that he might render aid to those whose circumstances prevented a decent burial for their children, and, strange to say, not more than three or four availed themselves of the proffered aid—the majority, or in fact nearly all the parents being in good circumstances. The Jury were conveyed back to the station house, and the case adjourned to the next day.

Mr. Thrasher, at Havana, has been tried and found guilty of treason, and sentenced to eight years in the chain gang, and would be sent to Spain. He is in good spirits, and anticipates a reversal of his sentence. Mr. Owen, the American Consul, was present during the trial, and has been using his endeavours to obtain from the Captain-General Mr. Thrasher's release, without effect.

Domestic Correspondence.

FROM OUR BOSTON CORRESPONDENT.

NO. XCII.

THE ARGUMENT.—*Acquittal of Mr. Morris—Judicial chemistry—Failure of the Experiment—Justice to Justices—Judicial Antipathies—The Verdict—The Expectation—The Scene—The Satisfaction—The Exceptions—Mr. Hale and Mr. Dana—Probable consequences of this acquittal—The Christiana trials—Browbeating of juries by press—A moving incident—The Correspondent voucheth it not—A weeping patriot—The cruel cause—Sentimental drawing and quartering—The Correspondent glorifieth his Country—And maketh a Recommendation to the President—He magnifieth his Authority—The Election in Massachusetts—How it stands—Desperate efforts—Mr. Linus Child, his history, his promise and his threat—The Hunkers—Their affinities and antipathies—The Webster Convention—The Correspondent on Farces, &c. &c. &c.*

BOSTON, Nov. 24, 1851.

You have recorded the fact of Mr. Morris' acquittal; and a very significant fact it is. It shows that with all the license the United States judges assume in cooking up juries to their mind, they have not had the culinary skill to toss up the particular dish they want. They have not been able to compass a conviction yet. After reducing the pannel to the last analysis and eliminating every element that threatened death in their pot, they have had two disagreements and one acquittal as the result of their labours. No man was permitted to sit on the jury who had an ill opinion of the Fugitive Law or who would not consent to yield his birth-right to judge of the sufficiency of the law as well as of the facts into the hands of the Judge. And yet this was the upshot. It shows that even men who are willing thus to denude themselves of their most sacred privilege will not consent to yield the lesser one and convict a man whom they do not think to be guilty, merely to gratify Mr. Webster, Mr. Fillmore and the Union-savers in general. It is but due, however, to Mr. Justice Curtis to say, that, setting aside his jury-catechising and his vindication of his monopoly of the law (in which he but followed the antipathies native to his species; for what great judge was there ever that did not hate a jury?) with these inconsiderable exceptions, his conduct during the trial was unexceptionable, and his charge impartial. His conduct in this particular honourably contrasted with that of Judge Sprague on the previous trials, who seemed to regard it as his mission to make good the forensic shortcomings of the poetical District Attorney.

The result was quite unexpected to all parties. It was known that the jury had agreed, inasmuch as they had sealed up their verdict and separated, the court having adjourned over the day of Election. The Court-room was full of serious and anxious spectators. A disagreement having been all that the most sanguine of the friends of the defendant expected at the best, when it was known that a verdict was ready, all had made up their minds for a conviction. When the Clerk was calling over the names of the jury and going through with the preliminary questions, a dead silence brooded down upon the crowd, "the stoutest held his breath." But when in reply to the question, "Mr. Foreman, is Robert Morris, the defendant, guilty of this indictment or not guilty?" he replied, "Not Guilty!" there was a general buzz of satisfaction ran through the room, as if every man had drawn a long breath and felt a weight taken off his heart. There seemed to be no minority in the general joy, excepting that made up of the District Attorney Lunt and his democratic helpmate, Mr. Lord, the Deputy Marshals who had given themselves to this work, and the other witnesses, if any of them happened to be present. Perhaps it would be right to include in this patriotic handful, Mr. George T. Curtis, the celebrated Sims Commissioner, who certainly looked very glum at the announcement of the verdict, and evidently sympathized with his country in the ruin which it prognosticated. Mr. Morris was at once surrounded with congratulating friends, and had almost run before he was sent, inasmuch as he had to be called back to receive his formal discharge. Mr. Hale and Mr. Dana well merited the gratification of this triumph by their admirable management of the defence. Mr. Hale's concluding argument was a magnificent effort of forensic eloquence, worthy of Erskine himself, in the State Trials (not more important in their issues than these) which have given him his historical immortality.

Whether the effect of this defeat in their strongest case will lead to the abandonment of the other proceedings, by the Government, has not yet evolved. It is very unlikely that a more favourable result can be expected in the other cases. In this, eleven of the jury were for acquittal at the moment they were shut up, and the twelfth did not stand out long. Under these circumstances, should the Government hold these indictments over the heads of men whom they cannot expect to convict, and subject them to all the expense and annoyance of preparation for trial, it will be a high-handed and outrageous proceeding. But it would be in accordance with all its other acts in this direction. Witness the Christiana Treason trials, which begin to-day. May that essay at Terrorism fail as signally as the one made here! May God send those put in peril there as good a deliverance as He did Robert Morris! The newspapers, I see, here and elsewhere, are vapouring about this last verdict, and regarding it as a defiance and defeat of the Fugitive Law. I wish it were. But I fear it is only to be regarded as a proof that men are not yet so utterly debauched in their morals, by all the efforts which slave-catching patriots and priests have been putting forth, as to find a verdict against evidence to please the Powers that Be. But all this sort of gasconade is intended to tell on the Philadelphia jury and those which may hereafter have to pass on such cases, and to intimate to them what is expected of them. After all, it is to the Jury alone that the people have to look for the safety of their lives, properties and dearest rights. Fearful is the responsibility of the men who are enthroned in the sovereignty of the Jury-box!

I heard an affecting incident awhile ago which illustrates the intense degree in which the dangers to which our happy country is exposed stir the sensibilities of patriotic hearts. I do not vouch for the truth of the circumstance, but only tell the tale as it was told to me. It is averred that a member of the Boston Bar, who distinguished himself in the most gallant and meritorious manner in the salvation of the Union, when that villain Tom Sims was shaking its pillars, like another Samson, and threatening to bring it all thundering down on the head of the Philistines, this eminent patriot, men say, was seen one day sitting in the lobby of the United States Court-room, reading the account of the arrest of the Christiana traitors, and weeping as if his heart would break. A sympathizing friend tenderly inquired the cause of his emotion, supposing (naturally, though absurdly, enough), that he was overcome at the prospect of the danger to which those worthy men were exposed. But it was not humanity, but patriotism that had unmanned him quite.

"I cannot bear to think," he exclaimed, through his tears, in a voice broken with emotion, "that we have abolished the punishment of *drawing and quartering* for treason! Hanging is too good for such monsters!"

And he relapsed again into his inarticulate woe. Let no abusive foreigner accuse us of being a people undemonstrative and void of sensibility, after this. I trust that President Fillmore will not let those tears fall to the earth in vain, without an answering harvest. I shall think myself fortunate should I be the means of bringing this meritorious case under his notice. Upon application to me, I shall be most happy to furnish him with the name of one so tender and so true; and also with that of my authority, a distinguished member of the Boston Bar, whose word would be entirely conclusive as to the authenticity of any fact, even if at first sight improbable, which this by no means is.

This is the day which is to decide the political destinies of this State for the coming year. At the election a fortnight ago, as you have told your readers, there was no choice of Governor, and a very imperfect one of Senators and Representatives. As it now stands, the Whigs have a majority of fifteen in the House, and the Coalitionists of seven in the Senate. This gives the Whigs a majority on joint ballot, by which the Senate is filled up, and would, after that was done, give them the Governor and the Administration, the Legislature having the choice when the popular election fails. That the Coalitionists are very strong in the country, you may infer from the fact that Boston has chosen *forty-five* representatives! Think of that! London elects *four* members of Parliament, Liverpool, Birmingham, Manchester, Southwork, the Tower Hamlets, two each, and Boston *forty-five!* There are more than a hundred vacancies to be filled to-day, and incredible efforts are putting forth to secure them by the different parties. In Lowell, where the Coalition candidates were denied their credentials on account of a clerical error in the return of one of the words, Mr Linus Child, an orthodox saint, who rode into public life as an Anti-Slavery Whig, and when there, valiantly avowed his determination to have the Act annexing Texas *repealed*, and who was rewarded for going over to Taylor with a fat agency in that city (Lowell, not Texas), Mr. Linus Child, I say, has publicly declared that he will dismiss from his Mill any man voting the Coalition ticket! What he has been fool enough to avow, many others will be knaves enough to do secretly. So there will be no lack of intimidation and sinister influences. The whole battle lies with the Hunker Democrats, who prevented the entire success of the Coalition before. If they vote for separate candidates, or stay at home, the Whigs will have the State. If they unite with the Free Soilers, the Coalition will carry the day. It depends upon whether their love of Governor Boutwell exceeds their hatred of "wooly-heads" and "long-heels." *Nous verrons.*

To-morrow is the august day appointed for the Webster Convention in Faneuil Hall. I think you know me well enough to have no doubts as to whether I shall be there or not. From my childhood upwards, as long as I was addicted to those vanities called stage-plays, I always thought the *farce* the best part of the entertainment. And there is no farce so comical as one played with grave faces. Liston and Mathews united could not, in the nature of things, come up to what will be presented to-morrow on the boards of the Faneuil Hall Theatre. (You know it was a theatre during the Siege.) You may rely upon a critique on the performances in my next.—D. Y.

Communications.

MISS HOLLEY.

DEAR GAY: I hasten to announce to you, and, through you, to the Anti-Slavery public, the noble accession we have received to the band of Anti-Slavery advocates, in the person of Miss Sally Holley. She addressed a very large audience in my church, last evening, for more than an hour. The greater part of her discourse was written; but she was very much at ease with her notes, and repeatedly left them wholly, to give utterance to an extemporaneous burst of eloquent thought. She is thoroughly acquainted with the subject, and wholly baptized of the Spirit of Liberty. Her style is finished and forcible. Her manner of delivery is somewhat subdued, but very impressive.

She will speak again this evening here, and to-morrow evening, at Auburn, in connection with Mrs. A. K. Foster; and will labour in this State, through the ensuing winter, as one of the Agents of the American Anti-Slavery Society.

Miss Holley is different in style and manner from the other women, who have been brought upon our platform by the urgency of the Anti-Slavery reform. But she is not inferior to either of these, our invaluable coadjutors.

It will be particularly interesting to the very numerous friends and admirers of the late Myron Holley, Esq., to know that this excellent young lady is his daughter; and that the cast of her mind, and of her eloquence, is like his.

Yours, with a rejoicing heart,

SAMUEL J. MAY.

Foreign Correspondence.

FROM OUR DUBLIN CORRESPONDENT.

DUBLIN, Oct 7, 1841.

MY DEAR GAY: I do not remember any thing occurring of late in these parts which has excited much public attention except the arrival and reception of Kossuth, of which you have, doubtless, seen the particulars in the English papers. His arrival was waited with intense interest, and his reception, both in Southampton and London, has been of the most gratifying kind, evincing a hearty interest in the fate and fortunes of Hungary. I know of no other foreigner being so cordially received by the English middle classes within the last 30 years. Meantime, it is remarkable that Kossuth has been hardly noticed by any of the aristocracy, or by that large portion of the mercantile and moneyed classes whose pretensions are aristocratic. This remark applies not only to those who are decidedly conservative or absolutist in their sympathies, but to the Whigs and Liberals among the upper crust of society. During the revolutions on the continent in 1848, it was plain that the English aristocracy viewed those movements with dread, distaste, and distrust. In every movement made by the people against their despots in Austria, France, Italy, or elsewhere, *they* saw only confiscation, turmoil and judicial murder, and showed little sympathy for the tyranny and wrong to which the millions had been subjected. Lord Brougham, who, for many of his best years, was looked on in England with the same pride, hope and trust with which, until lately, Webster was viewed by the masses in America—Lord Brougham denounced the Hungarians and Italians, and defended the Austrian and Neapolitan governments. If ever any man, engaged in a great struggle for national existence, was entitled to sympathy and admiration, in my opinion Kossuth is the man. He aimed to preserve national rights, guarantied by the prescription of ages, the faith of treaties and innumerable solemn oaths. He who looks coldly on such a man, must be suspected of sympathy with the tyrant rather than his victims.

When the Emperor of Russia visited England, some years ago, it was loathsome to witness the alacrity with which the nobility hastened to sun themselves in the baleful smiles of the Polar Nero, who, I verily believe, has done more to repress the hopes and the happiness of nations than all the twelve Cæsars put together.

Kossuth's reception in England has been heartiest from the middle class inhabitants of the towns. The ignorance of people in the rural districts, with respect to public affairs, is mostly intense. It was said that when Louis Napoleon was elevated to the Presidency in France, vast numbers in the rural districts voted for him under the impression that he was his renowned uncle who had returned from some years' sequestration in an English prison! And we hear of persons in the country parts of England who had no distinct idea of who the Queen, or Jesus Christ, was—of others again who knew no name for their own father but the soubriquet by which he was commonly called amongst his fellows.

The course of the English newspapers towards Kossuth is somewhat remarkable. *The Times, Morning Chronicle* and *Morning Post*—great London daily papers—have been on the side of the continental despots for the last three years, and have done their best to depreciate the efforts and characters of the popular leaders. Others of the great London papers are true to the popular side, and amongst these, I rejoice to reckon, as one of the most zealous and cordial, the *Morning Advertiser*, which has lately entered with such zeal into the advocacy of the Anti-Slavery cause. That cold-blooded and very able weekly paper—the *Spectator*—expressed itself with unusual warmth on behalf of Kossuth until last week, when it came forth with at least three articles, so evidently meant to repress the popular enthusiasm, throw cold water on their zeal, and discredit on their hero, that I am tempted to suppose the editor has received a visit and a hint from the Austrian embassy.

It is remarkable that Joseph Mazzini, one of the noblest, most consistent, and ablest of all the living tribunes of the people, has been comparatively unnoticed in England. But he is a declared republican; and the Queen and Prince Albert are now so popular, that for a man to be conspicuous in preferring a Republic to a Queen or an Emperor, subjects him to suspicion. The English, like the Americans, think themselves and their institutions come the nearest to perfection. Their idea of a Republic is always associated with Robespierre and the guillotine, just as the pro-slavery Americans can never contemplate the slaves as a free people without presupposing a fiery baptism such as the whites passed through in St. Domingo when the browns tried to keep the blacks in bondage—and again when Napoleon endeavoured to persuade the free negroes that Slavery was the happiest, the best, and the most scriptural of all conditions of all conditions for the sons of Ham.

I have no doubt that Kossuth's reception in Americo will be enthusiastic. I hope it may not be a hollow enthusiasm. It is difficult to believe in a real welcome from the New York merchants, with their pro-slavery sympathies in full energy, to the man who struck off the chains of the serf in his own country, and who, I doubt not, would gladly proclaim liberty throughout all lands to all the inhabitants thereof. I thin k tha in his secret soul Kossuth could not fail to loathe the caresses of a slaveholder.

In a letter from a friend on this side of the Atlantic, I find the following passage: "We read with great "interest the triumphs and speeches of Kossuth. Oh! "that he could see that freedom is one; and that he "who may be wise in keeping himself disconnected "from parties, all enjoying constitutional rights and "free institutions, cannot innocently refuse his sympa-"thy to the cause of the American Slave, oppressed by "all parties and their constitutions. The true trial "has come to him, as it comes to every one, and I am "full of fear that my hero will prove a mean man after "all." It is almost hoping against hope that a man in Kossuth's position should take the right side with all the flattery and blandishments of the slave's oppressors to contend with. If he do act in this emergency as he ought to act, his position will be one of almost unsurpassed moral sublimity.

It may interest you to know that an Anti-Slavery Society has been lately formed in Dublin, and that your Dublin Correspondent is its Secretary. Its members are, with a very few exceptions, members of the Society of Friends. Some of them have had little previous acquaintance with the Anti-Slavery cause; others have served a long apprenticeship to it; and amongst the latter there is a very wide difference as to measures. Some are for helping all parties—like a liberal Christian who should think the five points of Calvinism, Popish fallibility, and the prophecies of Johanna Southcote, equally deserving of support. I cannot understand how there can be two totally different ways of doing the same thing equally well. I think there is a wide difference between the measures of a Liberty Party Abolitionist, who swears to support the Constitution of the United States with the intention of disobeying its provisions on the first opportunity, and the member of the American Anti-Slavery Society, who considers that Constitution a main prop of Slavery, and as such will rather relinquish that participation in politics which is so dear to Americans than have any thing to do with carrying out its provisions. I observe that those who talk of helping all parties are as prone to take one side as those who profess no such liberality, and that the side taken by such professors of liberality is invariably the Liberty party.

I doubt not that abhorrence of Slavery, hatred of oppression, readiness to assist fugitives, and pecuniary generosity, may be found amongst all classes in the United States who have no connexion with Slavery or interest in its continuance. But for abolishing Slavery, that mode of operation only can be effectual which relies mainly upon moral influence, and keeps clear of the temptations of party politics, manœuvres, and caucussing, which relies on God rather than man, and steers a perfectly straight-forward course. I hope that as soon as the members of our little Anti-Slavery Society have become acquainted with the bearings of the cause in America, they will, as a Society, take one side or the other, as decidedly as some of its members now do as individuals. At present, I look upon it as merely an association for the reception of information on the subject—as an Anti-Slavery normal school—as a number of students who unite for mutual improvement. When they begin to act, when they make up their minds as to what they should attempt, they will, as they ought to do, sympathize with one class or the other of the professed friends of the slave in the United States. Many very good people are never done lamenting that the Abolitionists differ so much among themselves. They might as well hope for uniformity in the opinions of professed Christians. There is a right way and a wrong one of doing every thing, and it argues ignorance or indifference to suppose that those who advocate both ways of promoting emancipation of the slaves can work to any good purpose together.

Yours, ever truly,

RICHARD D. WEBB.

Marriages.

HALLOCK—DOUGHTY.—In Brooklyn, Nov. 19, Nicholas Hallock, Jr., of Milton, to Miss P. A. Doughty, daughter of George Doughty, of Rocky Hill, L. I.

Deaths.

MANLEY.—In this city, Dr James R. Manley, in the 76th year of his age.

MARDEN.—In Lebanon, Thomas Marden, (coloured) a revolutionary soldier, 97.

QUINCY.—In Cambridge, Mass., at the residence of Judge Phillips, Mr. Thomas Quincy, 85.

ANDREWS.—In Hingham, Mass., 16th inst., Miss Sally Andrews, daughter of the late David Andrews, Esq., aged 61.

SAWYER.—In Cambridgeport, Mass., Franklin Sawyer, Jr., one of the editors of *The Christian Advocate*, aged 41 years.

CRANE.—At Dayton, Ohio, 15th inst., Judge Crane, aged 76 years. He was among the oldest members of the bar in the State of Ohio, and an eminent scholar and jurist.

WYLIE.—At Bloomington, Ia., 12th inst., Dr. Andrew Wylie, President of the State University.

Notices.

FOURTH
WORCESTER ANTI-SLAVERY BAZAAR.

WILL be held in BRINLEY HALL, on *NEW YEAR'S WEEK*, commencing on TUESDAY EVENING, Dec. 30, and closing on FRIDAY EVENING, Jan. 2.

In renewing our claim upon every lover of the right, every friend of the oppressed, for aid and co-operation, we feel assured that no word of appeal can so arouse the conscience, or quicken the sympathy, as a consideration of the outrages which, during the past year, have again and again been perpetrated in our midst; legitimate fruits, as they are, of the systematic injustice toward one portion of God's children, which darkens and disgraces our country. Every individual should remember that he will be held responsible for the sin of Slavery, so far as his personal influence extends, unless that is exerted against the iniquitous system. Let, then, those who have hitherto satisfied themselves with a passive deprecation of its evils, worthily close the Old Year, and consecrate the New, by commencing a course of faithful and earnest Anti-Slavery action; while those already in the ranks, who entered upon the campaign well knowing that it would be long, and its victories, though sure, not lightly won, must hold themselves ready for renewed self-sacrifice, and patient, enduring toil. If the voices of freemen are ever to be raised in behalf of the slave, they should utter an availing protest now against the iniquity which triumphs in the land; and a helping hand should be extended toward any enterprise, however humble, which looks in the direction of Freedom. Our success in each previous year has clearly demonstrated the efficiency of Fairs, as a subordinate instrumentality, for the raising of funds, in furtherance of the great work of Emancipation; and the attractions we are this year enabled to offer, in the display of foreign goods, are unusually great, the selections being unsurpassed for beauty and variety. We hope also to present a better assortment than has hitherto been afforded us, of useful and desirable articles of home manufacture.

The Refreshment Table will be found liberally supplied, at all hours of the day and evening, as usual. We feel assured that the friends of the cause in Worcester, and our faithful fellow-labourers throughout the county, will not forget that donations of Tea, Coffee, Sugar, Cream, Milk, Cake, Cold Meats, &c., are always greatly needed, and that Fruit will be peculiarly acceptable.

Articles for the Bazaar may be sent to Brinley Hall on Monday and Tuesday preceding, or at any late date during the Fair.

SARAH H. EARLE,
EMILY SARGENT,
EMMA W. WYMAN,
LUCY CHASE,
HANNAH RICE,
ADELINE H. HOWLAND,
ELIZA A. STOWELL,
OLIVE LOVELAND,
HANNAH M. ROGERS,
SARAH L. BUTMAN,
SARAH R. MAY, Leicester;
FRANCES H. DRAKE, Leominster;
POLLY W. BRADISH, Upton;
CATHERINE BROWN, Hubbardston;
MARIA P. FAIRBANKS, Millville;
NANCY B. HILL, Blackstone;
MARY E. HODGES, Barre;
ABBY B. HUSSEY, Lancaster.

MEETINGS IN HERKIMER COUNTY,
BY LEWIS FORD AND PARKER PILLSBURY, OF MASSACHUSETTS.

PARKER PILLSBURY, an agent of the American Anti-Slavery Society, will attend meetings in Herkimer County as follows:

Rockton, Sat. evening and Sun., Nov. 29 and 30.
Brockett's Bridge, Tues. and Wed., Decem. 2d and 3d.
Salisbury Centre, Thurs. and Fri., " 4 " 5.
Norway, Sat. and Sun., " 6 " 7.
Cold Brook, Tues. and Wed., " 9 " 10.
Fairfield, Thurs. and Fri., " 11 " 12.

In places where two days are spent, the first meeting will invariably be in the evening of the first day.

NATIONAL ANTI-SLAVERY BAZAAR.

THE Committee of the National Anti-Slavery Bazaar take this early opportunity of acquainting its friends with their arrangements, that ample time may be afforded for such general co-operation as shall ensure a more brilliant success than has attended any previous occasion.

The times demand a far higher and more self-denying exertion than ever before, and we doubt not that their claim will be heard and nobly answered, by the contribution of a ten-fold amount of money, labour and sympathy.

The friends of the slave in other countries are helping us on, not merely by their strong words of faith and encouragement, but by their devotion of weeks of patient and tasteful toil, and in many instances by the exertion of self-denying economy. The inmates of the Blind Asylum at Bristol, England, are employing their private earnings in time borrowed from their allotted hours of recreation for the manufacture of those beautiful articles that have added so much in previous years to the value of the Bazaar. In view of all this, will not every Abolitionist at home feel impelled to a redoubled exertion?

The Bazaar will open on THURSDAY, DECEMBER 18, at the spacious and beautiful Hall over the Worcester Depot, commonly known as ASSEMBLY HALL.

Such Ladies as design furnishing tables, and wish arrangements made for their accommodation while in Boston, will please give early information of the same.

Ladies sending boxes of articles will please accompany them with a letter, stating particularly the names of the donors, town, &c., and the estimated value of the articles. Money for the general purposes of the Bazaar, or the publication of the Liberty Bell, may be forwarded to A. W. WESTON,
Weymouth, Mass.

THE SIXTEENTH PENNSYLVANIA
ANTI-SLAVERY FAIR.

THE Fair will be held in December. The Managers appointed by the Female Anti-Slavery Society invite all those who are interested in the great cause to which their labours are devoted, to aid them in their work.

The times call loudly upon us for faithful and efficient effort. Let us be zealous and untiring in our endeavours to arouse those over whom we may have influence enough to give us their aid.

Anna M. Hopper,
Emma Parker,
Janette Jackson,
Rebecca Plumly,
Maria M. Davis,
Emily W. Taylor,
Mary Grew,
Sarah A. M'Kim,
Sarah T. Child,
Anna M. Child,
Huldah Justice,
Sarah Pugh,
Harriet D. Purvis,
Elizabeth Carman,
Mary Shaw,
Sarah M. Douglass,
Margaret A. Griscom,
Margaret Jones,
Priscilla Lukens,
Hannah L. Stickney,
Mary T. Stickney,
Clementine G. Ruby,
Margaretta Forten,
Elizabeth Gay,
Elizabeth Davis,
A. Matilda Remond,
Gertrude K. Burleigh,
Sarah Tyndale,
Elizabeth Clendenin,
Abby Kimber,
Martha Kimber,
Evelina Suplee,
Esther Reckless.

Philadelphia, September, 1851.

Advertisements.

"GET THE BEST."

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QUARTO DICTIONARY,
UNABRIDGED.
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Containing THREE TIMES the matter found in any other English Dictionary compiled in this country, or any Abridgment of this work; a GEOGRAPHICAL TABLE of 12,000 Names, ILLUSTRATIVE QUOTATIONS, and other peculiarities and advantages found in no other work, yet is sold at a trifling advance above the price of other and limited Dictionaries.

The Legislature of New York have just passed an Act to furnish this work to the Common Schools of the State.

[*From Hon. J. C. Spencer.*]

ALBANY, June 18th, 1851.

MESSRS. G. & C. MERRIAM—*Gentlemen:* After the testimony to the extraordinary merit of Dr. Webster's Dictionary of the English language which has been borne by the illustrious Statesmen, Scholars and Writers of this country, and by the most competent judges in England, it seems almost presumptuous for me to express an opinion on the subject, but as your polite note of the 16th inst. seems to invite such an expression, I comply.

More than twenty years ago I procured the Quarto edition and have used it constantly ever since. My pursuits in life have rendered it necessary to consult it frequently, as well as other works of a kindred or similar character, particularly Dr. Johnson's Quarto, of the latest and best edition, Richardson's Dictionary, Crabbe's Synonyms, and Horne Tooke's Diversions of Purley. In professional, political, and literary discussions, the turning point of the argument has often been the exact meaning of words, as ascertained not only from their use, but from their derivation: while in many cases, perhaps in the majority of them, the works referred to have failed to give the desired information, that of Dr. Webster has always furnished precisely what has been desired, and I have long felt individually indebted to the illustrious author, for the labour and time he has saved me by his unwearied patience, profound learning, and unsurpassed industry.

It is unquestionably the very best Dictionary of our language extant. It is a model of copiousness and precision, and its great accuracy in the definition and derivation of words, gives it an authority that no other work on the subject possesses. It is constantly cited and relied on in our Courts of Justice, in our Legislative bodies, and in public discussions, as entirely conclusive.

It is scarcely necessary to add that such a work is a treasure which cannot be dispensed with by any one who would thoroughly understand and correctly use his mother tongue. It should be in every school in our land, that our youth may not be obliged, as I have been, to unlearn the false pronunciation, the unsound philology, and the erroneous definitions, which were taught me in my childhood.

The elegance and correctness of your edition—so cheap for a book of its size—one third of what I gave for the first edition—are alike creditable to your taste and enterprise, and worthy of the great work which will ever stand forth a monument of the science and literature of our country.

John C. Spencer.

"A Dictionary is the last book which a scholar ever wants to have *abridged*, the process being sure to cut off THE VERY MATTER WHICH HE MOST VALUES."—*Chronotype.*

Published by G. & C. MERRIAM, Springfield, Mass., and for sale by all Booksellers. no 27

NEWS OF THE GLOBE.
PENNY NEWS ROOMS,
GOLDEN LEG COURT, 66, CHEAPSIDE,
LONDON.

THE public are invited to an inspection of these commodious and elegant rooms, of which commendatory notices have appeared in the Daily News, Sun, Spectator, Examiner, Galignani's Messenger, and nearly all the Provincial papers.

The Dover Chronicle thus refers to them:

"Amongst the numerous appliances for comfort and cheap luxury which the Great Exhibition has educed in London for its hosts of British and Foreign visitors, it may not be out of place to particularize the Penny News Rooms, 66, Cheapside, a most deserving and meritorious attempt to supply a deficiency which, in ordinary times, was much felt, but which was peculiarly pressing during the present Annus Mirabilis. The spirited proprietor has spared no pains to render this Establishment worthy of popular support; it is well stocked with Town, Provincial, and Foreign Journals, and a most homoeopathic fee entitles the visitor to a perusal of them as lengthened as he may desire. Refreshments are also supplied in another part of the building, for the comfort and sustentation of the inner man. We recommend our townsmen to visit this deserving effort to concentrate the news of the globe under the shadow of Bow church."

Liberty Bell for 1851.

A FEW COPIES FOR SALE,
At this Office. s 12

Miscellany.

A WITCH IN THE NURSERY.

In one of those moods of philosophical pleasantry and erudite whimsicality in which the worthy Archbishop of Dublin sometimes relaxes from weighty affairs, he is reported to have made the following quotation and comment:

"Old Father Long-legs wouldn't say his prayers:
Take him by the right leg—
Take him by the left leg—
Take him fast by both legs—
And throw him down stairs!"

"There!" said his Grace, "in that nursery verse you may see an epitome of the history of all religious persecution. Father Long-legs, refusing to say the prayers that were dictated and ordered by his little tyrants, is regarded as a heretic, and suffers martyrdom."

The cruel and unprincipled things sung or said to young children in so many of our popular nursery rhymes and tales, the wanton, reckless acts, no less than abominable reasons adduced for them, or consequences drawn from them, are something quite surprising. It looks as if the great majority of those compositions had been the work of one or more of the wickedest of old witches ever heard of, and with a direct intention of perverting, if not destroying, the generosity, innocence, pure imagination, and tender feelings of childhood at as early a stage as possible. We say it looks like this; and yet, no doubt, nothing of the sort was intended; neither were these nursery poets and tale-writers influenced by any bad or unkindly feelings. The songs have probably originated chiefly with certain old grandames among our ancestors, whose ears possessed a tolerably euphoneous muse of doggrel versification, but whose heads were not overburdened with understanding, and whose sole object (such a thing as "infant education" never at this time having been dreamed of by any soul in the community) was to quiet or amuse the child, by arresting and holding its attention. To do this most suddenly and successfully, they endeavoured to produce an excitement of the child's imagination, or its desires, without for one instant considering whether the seeds they sowed of these excitements and desires were of a kind to grow and put forth good or evil fruits with the progress of years. There are, no doubt, a good many delightful and harmless nursery songs and tales, and a few also which have the best moral tendency; but it must be admitted that the majority are either very equivocal, or of the worst possible kind.

Take the song of "Little Jack Horner"—does it not inculcate selfishness, or greediness? or, at best, it causes those vices to be regarded with leniency and levity:

"Little Jack Horner
Sat in a corner
Eating a Christmas pie!
He put in his thumb,
And he pull'd out a plum,
And cried, 'What a good boy am I!'"

It may be said that the view he takes of his own goodness (or bravery) in this exploit, is only meant to be humorous, and in a way that children understand; and we have also heard it suggested that Master Horner had, perhaps, really been a good boy, and that this pie, so renowned for its "plum," was the reward of merit. Admitting all this as possible, the fact of his sly and selfish greediness in getting up into a corner to enjoy his pie alone, is not to be controverted.

The act of stealing something seems to be one of the favourite points of humour and good fun with our Nursery Witch:

"Taffy was a Welshman—Taffy was a thief;
Taffy came to my house, and stole a leg of beef."

Here are two others—

"Nanty, Panty, Jack-a-Dandy,
Stole a piece of sugar-candy
From the grocer's shoppy-shop,
And away did hoppy-hop!"

"Tom, Tom, the piper's son,
Stole a pig, and away he run!"

The following is nothing less than the foot-pad's "your money or your life," *adapted* to the nursery. A boy with a broom sings—

"Money I want, and money I crave!
If you don't give me money,
I'll sweep you to the grave!"

This is graced with an illustration in Halliwell's "Nursery Rhymes of England."

In the following well-known song, theft is made a very pleasant joke, and inculcated by the example of the first gentleman and lady in England:

"When *good* King Arthur ruled this land,
He was a *goodly* King;
He STOLE two pecks of barley-meal,
To make a bag-pudding.

"A bag-pudding the King did make,
And stuff'd it well with plums,
And in it put some lumps of fat
As big as my two thumbs.

"The King and Queen did eat thereof,
And Nobles ate beside;
And what they could not eat that night,
The Queen next morning fried."

These songs are, beyond question, highly amusing to children. They admit of capital illustrations. In the example just quoted, the "goodly" King is represented, of course, in his state robes, and with the crown upon his head, running away, as fast as he can lay legs to the ground, with a couple of meal-bags, one under each arm. In the next illustration, His Majesty is represented with his cooking apron and sleeves, and without his coat, though still with his crown on, "as he appeared" while engaged in the operation of making the bag-pudding. The third illustration represents the Queen, who is the receiver of the stolen goods, together with the Nobles, who all come to share the spoils, seated at table, "making a feast." In the concluding tableau, Her Gracious Majesty, with her crown on, is represented holding the handle of the frying-pan, being sedulously employed in frying slices. Not a word in apology or explanation of the King's theft. If the owner of the meal had appeared at one of the windows during the feast, one feels that he would only have been laughed at, and had a piece of pudding flung in his face, or perhaps His Majesty, in his own pleasant off-hand way, would have ordered the intruder to have his head cut off. No one can expect children to give up such things as these. They delight in them, crave for them, and they are abominably well supplied.

It may be thought too harsh a construction to say that murder is made a light and familiar subject of excitement and interest to the nursery; but that killing, by direct intention, is one of the favourite subjects of these songs and tales is but too evident. The principle of destructiveness is artificially developed by these means (and, sooth to confess, there is no need for this in human nature) from the earliest period. Even in assisting the infant to learn the alphabet by the help of signs and figures, we find that—

"A was an Archer,
And shot at a Frog!"

In the illustration, we, in most cases, see the effect of the shot, the Frog being transfixed with an arrow, having one hand clasped over his head, and turning up his large eyes. Some children of tender and affectionate nature, whose imagination also aids them to realise this as something painful, are affected by the sight; but it is to be feared that most of them laugh at the *fun* of the thing, and would like to do the same—and also, moreover, take the first opportunity of *doing* the same act, and other things of the sort. But in both cases, the attention of the child being arrested, its mind amused, and its feet and fingers kept out of mischief, the end in view is obtained. Mischief sown in the mind goes for nothing.

"Who killed Cock Robin?
I, said the Sparrow,
With my bow and arrow—
And I killed Cock Robin!"

The outspoken, barefaced, valiant impudence of the answer, which is far more like a boast than a confession, finds but too much sympathy with the hearers. It is true that the children are, in many instances, affected by the sight of the deceased Cock Robin, with his legs sticking up in the air, as he lies on his little black pall, and more especially when it is found that—

"All the birds in the air fell a sighing and sobbing,
When they heard of the death of poor Cock Robin."

But not a word of the Sparrow being put upon his trial for the crime; no justice is done, no punishment awarded.

What can surpass the tragic conciseness of the following, added to a prelusive touch of the infant's Latin primer?—

"Hic, hac, hoc,
Lay him on the block!"

Killing, for the sake of eating, is by no means the most amiable picture to present a child's imagination:

"There was a little Man,
And he had a little gun,
And his bullets were made of lead," &c.

He shoots a little duck, which his wife roasts while he goes to kill her husband the drake. We only wonder that the writer of this song did not add the "Ducklings," by way of making the family slaughter complete in its interest. But these killings are often effected (as we too often see practically enacted by children) out of pure wantonness, and with no assignable cause:

"Where are you going? said Robbin to Robin;
Where are you going? said Richard to Robin," &c.

"To shoot an old hen, said Robin to Robin,
To shoot an old hen," &c.

How skilfully the verses retard the "delightful" catastrophe, and how they exult in repetition! The killing of a poor harmless old hen is thus exalted into a great event. But sometimes theft is very directly associated with killing:

"Butcher, butcher, kill a calf—
Run away with the better half."

Pretty and tender to a degree, as all children feel the conclusion of the story of the Babes in the Wood—with its pathetic illustration of the two children lying side by side, asleep or dead, and the robins covering them with leaves—the previous part of the story narrates the dishonest and murderous intentions of the cruel uncle with abominable distinctness, to say nothing of the preparations for their murder by one of the men hired for that purpose, with his fight, and death by the hand of the other servant.

Nothing seems quite satisfactory without a death. The highly interesting and eventful narrative poem of "Froggy would a-wooing go," terminates with several deaths; the heroic brevity of "Jack and Jill" involves a broken neck or a cracked crown, if not both; and the cumulative lyric of "The House that Jack Built," and the companion song of "A Kid—a Kid," comprises various killings, besides bull-tossing and cat-worrying. These things are considerably overlooked, by reason of the comic images presented, and the rapid recurrence of comic rhymes; but there they are. Sometimes, however, the song takes a more abrupt and savage tone:

"Tit—tat—toe—
My first go:
Three jolly butcher boys all in a row!
Stick one up—
Stick one down—
Stick one in the old man's burying-ground!"

Grim, gloomy, vague, and leaving the child's imagination to fill up the picture. Here is a lighter one—

"The Fox, when he came to the Farmer's gate,
Who should he see but the Farmer's drake:
'I love you so well for your master's sake,
And I long to be picking your bones, O!'"

This nice suggestion is presently followed by a shot through the Fox's head. But the question of "capital punishment" for an offence is nothing in the nursery code of song-writing: innocence and guilt all fare alike.

"Lady-bird, lady-bird, fly away home;
Your house is on fire!—your children alone—
They are all burnt but one," &c.

A tailor intends to kill a crow, for no other offence than watching how he made a coat!

"Wife, bring me my arrow and my bow,
That I may shoot that old carrion crow,
Sing heigh, sing ho, &c.
The tailor he shot, but he miss'd his mark,
And shot his own sow right through the heart!"

Here is another—

"The woodcock and the sparrow;
The little dog has burnt his tail—
And he must be hang'd to-morrow!"

What a sense of justice is conveyed in the above! And here follows a pretty lullaby—

"Bye baby bumpkin,
Where's Tony Lumpkin?
My lady 's on her death-bed,
With eating half a pumpkin."

No wonder; but a charming picture of greediness. Here is a death from a very different cause—

"Little John Jig Jag
Rode on a penny nag,
And went to Wigan to woo;
When he came to a beck
He fell and broke his neck—
Johnny, how dost thou now?"

The number of acts of utterly unprovoked and wantoned violence which may be found in Mr. Halliwell's but too faithful collection—such as knocking out the teeth, shooting, cutting, and pecking off noses, cracking of crowns, eatings-up alive, bruising, maiming, and mutilating, with the wholesale John Ball, who "shot them all!"—is something quite amazing to those who look through the book. No innocent or beautiful object is spared by our old Witch:

"The *white dove* sat on the castle wall;
I bend my bow—and shoot her I shall!" &c.—
Halliwell's "Nursery Rhymes."

Even the baby in the cradle is demolished—

"Hush-a-by Baby,
All on the tree top!
When the wind blows
The cradle will rock;
When the boughs break,
The cradle will fall—
Down tumbles hush-a-by Baby, and all!"

Bravo! excellent fun—a smashed baby!—well done, old Nursery Witch! In short, the grand staple commodity of the nursery songs and tales of England, and we fear of many other nations, is death, or the excitement of killing something. Even the best of these—the most heroic, with the least amount of ghastly horror or barbarity—such as "Jack the Giant-killer," the "Forty Thieves," "St. George and the Dragon," &c., contain a plentiful amount of slaughter in a variety of ways; so that the nursery literature may be said to be quite steeped in imaginary blood. Giants, monsters, men, women, children, birds, beasts and fish, all are brought to the nursery by its tutelar Witch, and there slain under every variety of romantic or questionable circumstance.

We shall, no doubt, be reminded that children do not attach such distinct notions to these things as grown-up people; that they do not realise these horrors to their minds; that they, in a certain sort, comprehend them as things of fancy, and "make believe." Heaven preserve us all, if this were not so! We should all become Guerilla soldiers, or Gordon Cummings at the very best, if it were otherwise; and probably thieves and Thugs, so far as education and early tastes are concerned. But we are well aware that it is most wisely and happily ordained differently by the complex construction of the mind; so that these horrors, with nearly all children, are not accompanied with the frightful sense of realities and facts. But will anybody say that they do not act upon the imagination—that they do not furnish it with dreadful "materials for thinking," as well as for *dreams by night*? Not a doubt of it. Children differ, and the injury will, therefore, be a question of degree; but that it is an injury of some kind to all, no one who gives the subject a fair amount of consideration will fail to perceive.

We cannot find space to speak of the various churchyard horrors, as they generally involve a story. Suffice it to say, that Monk Lewis has borrowed his "worms that crept in," and "worms that crept out," from one of our nursery songs. A few off-handed murders "for tiny hands" are all we will offer—preluding them with an appropriate nursery incantation:

"Hinx! minx!
The old Witch winks!
The fat begins to fry!"

"Little Dicky Dilver
Had a wife of silver;
He took a stick and *broke her back*,
And sold her to the miller;
The miller wouldn't have her—
So he threw her in the river!"

"I'll tell you a story about Joll McRory,
He went to the wood, and shot a Tory!
Then he came back and told his brother,
And they went to the wood, and shot another!"

Cool, easy, wanton, funny sort of murders, these! And here is a reward for an old servant—

"Barnaby Bright was a sharp little cur,
He always would bark if a mouse did but stir;
But now he's grown old, and can no longer bark—
He's condemned by the parson *to be hang'd* by the clerk."

The four next, all of which we find in Halliwell's Collection are more practically hideous than we were previously aware our nursery literature, rich as we knew it to be in these things, could furnish:

"Who goes round my house this night?
None but bloody Tom!
Who steals all the sheep at night?
None [left] but this poor one."

"Here comes a candle to light you to bed:
Here comes a chopper to chop off your head."

"If she'll bear [a wild mare]
We'll give her some grains;
If she won't bear,
We'll dash out her brains!"

"When I went up a sandy hill,
I met a sandy boy, O!
I cut his throat—I suck'd his blood!
And left his skin a hanging, O!"

We will defy any collection of Nursery Rhymes, of any country, to beat the above, for everything that such rhymes ought *not* to describe—unless, indeed, some of the old Scotch rhymes and nursery legends.

"There was once a cruel mother, who murdered one of her daughters, and made a dish of meat of the body, which she gave to her husband, who devoured it. * * * The father, enraged at the death of his favourite child, immediately killed her mother."

"Pippety Pew!
My mother me slew!
My father me ate!" &c.

Nursery Ballads and Legends of Scotland.

An old Scottish ballad of "Croodlen Doo," which follows, is a case of poisoning, by a step-mother. The editor also gives us the following riddle:

"I sat wi' my love, and I drank wi' my love,
And my love she gave me a licht," &c.

Solution—I sat in a chair made of my mistress's bones; I drank out of her skull; and was lighted by a candle made of *her tallow*!

There are two other special features which strike us continually in our nursery doggrels—and these are the mercenary spirit they display on nearly every suggestion of marriage, and also their coarse vulgarity.

"What care I how black I be,
Twenty pounds will marry me;
If twenty won't—forty shall—
I am my mother's bouncing girl

And if you'll consent to marry me now,
I'll feed you as fat as my grandfather's sow."

"What is your fortune, my pretty maid?" &c.

"She invited me to her own house,
Where oft I've been before,
And she tumbled me into the hog-tub,
And I'll never go there any more."

"Robbin the Bobbin, the Big-bellied Ben,
He eat more meat than four-score men," &c.

"Oh, sir! I will accept of the keys of your chest
And count your gold and silver *when you are at rest.*"

The lady, in the foregoing, had refused his offer, until the chest was mentioned.

"The butcher that killed this ram, Sir,
Was up to his knees in blood," &c.

"Hannah Bantry in the Pantry,
Eating a mutton bone;
How she chaw'd it, how she gnaw'd it,
When she found she was alone."

"See saw—Margery Daw," &c.

"Who comes here?
A grenadier," &c.

"There was a lady loved a hog," &c.

To whom are we indebted for these gross vulgarities? The solution, we think, is obvious. The great majority of these rhymes are no doubt the composition of uneducated old nurses and beldames of olden times—old gossipping crones who little dreamed of the honour in store for them in the spectacled labours of learned collectors and editors, "with print and gloss." They sung what came uppermost; the rhymes grew and grew; and were handed down. In such an immense quantity, the total absence of all beauty, of all prettiness, childish grace, and innocence, is something quite wonderful; and is explicable in no other way.

As for our tales and stories, they are very often of foreign growth. Several of our most famous stories also exist, with certain national varieties in each, in the Swedish, Norwegian, Danish, French, and German literature of the nursery.

We are accustomed to attribute to the Germans, in their social and domestic relations, a greater simplicity of mind, life, and manners, than is found among ourselves. This circumstance, added to their natural disposition to reflect and philosophise on all subjects, would have led one to expect that in so important a consideration as the very earliest ideas and influences presented to the opening mind of a child, the greatest care would have been taken to communicate nothing but the purest and most amiable pictures, thoughts, and general impressions. We do not find this to be the case. Their nursery songs and tales are not, in general, so cruel and tragical as ours, nor do they contain so many vicious and unprincipled influences; but great numbers of them are of the most injurious kind. The Witch of the German nursery, though more romantic and fanciful than ours, is scarcely less inconsiderate and mischievous. Her chief purpose often appers to be the infliction of punishments upon disobedient children in a summary way, as a direct consequence of that disobedience or naughtiness. It is intended to warn children by these means: but the punishments are usually so severe and remorseless, and so disproportioned to the offence, that we think they must have a greater tendency to inculcate a spirit of vengeance, injustice, and cruelty, than to instil the lesson of obedience and caution which we intended.

One of the most popular of the German collection of poems of the nursery, is one of the least objectionable. They are not songs, but little tales in verse, and the collection is called after the figure on its title-page—*Der Struwwelpeter*, who is a short, thickset, clownish fellow, in a red blouse, and long green gaiters, the nails of whose fingers have grown to a length that resemble lobster's horns, while the hair of his head is all unshorn, and flying about in outrageous disorder. There are no portraitures, or stories of goodness: nothing is shown but naughtiness and its punishment. In the poem of "Naughty Frederic," you see him begin with pulling off the legs and wings of flies; he then kills a bird in its cage by throwing a chair on it; beats his nursemaid with a whip; and finally assaults a dog who is quietly drinking from a pump. The dog tears his leg, the blood from which, in the most approved bad style of all nursery pictures (the last sort of things that should be shown to children), makes a very important feature in the illustration. Frederick is then put to bed; the doctor gives him nauseous physic, and the dog eats Frederick's dinner, sitting up at the table, in the boy's chair. Which being translated, runs thus—

"The dog receives sick Frederick's plate,
And on his great cake now shall dine;
His liver-pudding next he ate;
And, being thirsty, drank his wine."

But this is moderate enough; the next poem advances the principle of vengeance much further. In the story of the girl who plays with the lucifer-match box, you see a girl approaching a table on which is placed a box of lucifers; two black cats are seated beneath the table, each holding up one fore-paw to warn her, or remind her that she is not to touch the box. She lights a match: the two cats repeat their warning gesticulation. In the third picture she is enveloped in red and yellow flames, (a horrible daub, of course, but not the less horrible to a child's imagination), and the black cats have elevated both paws with a mixture of horror, and of "We told you so!" The last picture shows a little heap of smoking cinders, with two shoes floating on a stream of water, which is caused by the "flood of tears" poured forth by the inconsolable cats. This latter touch of tenderness and commisseration almost redeems the story.

"And the tears of the cats kept flowing, *Meeau Wo!*
Like a rill through a meadow, *M'yorl Ro! O! O!*"

The next poem is called *Die Geschichte von den schwarzen Buben* (The History of the Black Boy), which is very good. A negro boy is enjoying a walk beneath a bright green umbrella, and is followed by three schoolboys, with all manner of derision and insult. St. Nicholas, in a brick-dust coloured morning gown, yellow slippers, black and cherry smoking-cap, and blue hair and beard, beckons the three boys to him, and dips them one by one into his great inkstand. The last illustration represents the negro boy still on his walk beneath his bright green umbrella, and followed by the three boys, each of whom is now twice as black as the object of their ridicule. The next poem—the story of "The Sportsman"—is highly amusing and harmless. The illustrations are excellent. The Sportsman is a Berlin shopkeeper, or tradesman, in full *Jager* costume, having a new grass-green jacket, powder-horn and game-bag, with the addition of a huge pink comforter. He carries a prodigious duck-gun over his shoulder. The first picture displays him setting out on his grand excursion after game, while on a little bank behind him, screened by some large leaves, sits a Hare, "taking a sight" after him with her fore-paws. The next picture shows the Sportsman lying fast asleep at the foot of a tree. The Sun, with a highly humourous face, looks down upon him, and the Hare is seen carrying off his duck-gun and spectacles. In the third picture, we see the Sportsman in full flight, running before the Hare, who with spectacles on nose, and the long gun at her shoulder, is taking deliberate aim at him. The Sportsman makes for his home, and has just reached the well near the door, when the Hare fires from a rising ground behind.

"Now ran the Sportsman from his game,
Till close beside a well he came,
And in he jumped! His need was great,
For *bang* went the gun, and just miss'd his pate."

You see his heels disappearing at the same moment that his wife, who was sitting at the window taking coffee, has the cup and saucer knocked out of her hand by the bullet; and the Hare's little daughter catches the falling spoon in an ecstacy of delight and surprise—which must no doubt be shared by all the children who read it. It is, beyond all comparison, the best poem in the collection of *Struwwelpeter*. The poem of the *Daumen-Sutsgher* ("The Thumb-Sucker") is of an opposite kind; being extremely painful to contemplate, and without anything picturesque to redeem or lessen its ugly cruelty. A lady expects her son to be very good during her absence, and above all things not to suck his thumbs. If he persists in this bad habit, she warns him that the Tailor will come and cut them off with his shears. The lady goes out, and—*wupp!* goes the thumb into the mouth; and in the next picture you see the Tailor—a regular German skip-jack with long flying legs—dancing towards the boy, and catching one of his thumbs between his long shears, which causes the boy to throw up one leg from excessive pain. In the last picture the boy appears with both thumbs cut off, and the blood trickling down his fingers. The poem of "Little Kasper and the Soup" (*Suppen-Kaspar*) is not much better. Kaspar refuses to eat his soup—soup being thought in Germany to be very good for children. Illustration of the first day displays Soup-Kaspar very fat; in the second day he is thin; in the third—still refusing to take soup—he is wretchedly meagre; in the fourth day, he is reduced to a mere dark outline; and the illustration of the fifth day is a little grave, with a cross for a tombstone.

"By the fourth day's end he was like a shade;
About half an ounce was all he weighed:
On the fifth he was dead—and his grave was made."

As for invention, however, we find abundance of it in the tales and fables of German nursery literature; Our grand complaint is the misapplication of the faculty. A heap of these little volumes lies before us, each of them containing several stories, and one of them no less than a hundred and fifty. It would occupy too much space to give an outline of many of these; suffice it to say, that they are full of horrors and other alarming things, most improper for children to read, however they may be attracted by the fascinating excitements. We find accounts of cheating, thieving, murdering, the deathbed of a blasphemer, the appearance of ghosts of various kinds, and of death and the devil. The illustrations are but too good, and would never be forgotten by children of a vivid imagination. A special example or two will be enough. In Heinrich Bombard's *Drei Erzhlungen fur Kinder* (Three Tales for Children), a virtuous king is caused by magic to fall in love with a witch. He is already married, but nevertheless he takes the witch home to his palace. At the instigation of the witch, this good king is made to order his queen to be burnt, and the hearts of his children to be cut out. (This Witch of the German Nursery may rival, if not surpass, the worst of our own.) The intended victims escape from her fangs; but not till the infant readers have tasted the horrors of anticipation.

The best of these volumes of tales are by Heinrich Smidt, and by Christoph von Schmid, the justly celebrated author of "*Ostereier*" (Easter-eggs), and other excellent stories for children. Each of these writers possesses a fertile imagination and a poetical fancy, and the latter especially has a charming simplicity of style and a graceful humour. We must, nevertheless, enter our protest against many of the images they present to the infant imagination. In *Der Wunderarzt* (the Wonderful Physician), of Christoph von Schmid, he makes a poor man seek a godfather for his child. All those he asks refuse him. A hunter then offers himself, and is accepted—when the poor man, looking more attentively at the *hunter*, perceives that he has long claws and a cloven foot! He hastily retreats, and finally getting into a churchyard, Death approaches him—offers himself as a godfather—and is accepted. Whereupon Death "dressing himself in a *proper* manner," accompanies him to church, and goes through the ceremony in a grave and respectful manner. To speak, however, in general terms, this author well deserves the reputation he possesses as a writer of juvenile tales. The brothers Grimm are too fond of terrors.

In the nursery rhymes we have taken from other countries, it is to be regretted that we have often vulgarised, not to say barbarised them. The little verse of "Open your mouth and shut your eyes," &c., is derived from the more tender and graceful Italian—

"Figluolina di Jesu,
Apri la bocca a guarda in su!"

The Tuscan rhyme of—

"Chiocciola, chiocciola marinella,
Butta fuori le tu' cornella!"

has been abused by our Witch into—

"Snail, snail, come out of your hole,
Or else I'll beat you as black as a coal."

It is curious to trace in these nursery songs the national tendencies of different races of people. With us, the great majority are little acts of physical force; with the Italians, the nursery songs are for the most part little love ditties.

The grand theory of the nursery for obtaining quiet, for causing a little one to go to sleep "like a good child," as well as for teaching it to be obedient when awake, is almost invariably some dreadful threat or some actual terror. Here is a "Cradle Song," (translated, we believe, from the German) from the "Illustrated Book of Songs for Children." One of the verses is very beautiful:

"Sleep, baby, sleep;
The large stars are the sheep,
The little stars are the lambs, I guess,
The fair moon is the shepherdess,
Sleep, baby, sleep!"

Several other verses are also exceedingly pretty, and to the purpose; but in case the child should not by this time go to sleep, we are furnished with the following:

"Sleep, baby, sleep,
And cry not like a sheep,
Else will the sheep-dog bark and whine,
And *bite this naughty child* of mine.
Sleep, baby, sleep!

"Sleep, baby, sleep,
Away! and tend the sheep—
Away! thou *black dog fierce and wild*,
And do not *wake* my little child.
Sleep, baby, sleep!"

The little trembler in the cradle is thus adroitly taught to "sham sleep," and not to cry for fear of the black dog fierce and wild.

To give an adequate idea of the euphonious dance of the doggrel nursery songs of a foreign country is scarcely possible. We have therefore not attempted to do so with regard to the German, and still less shall we venture it with the French. But, by taking the liberty of retaining the original chorus, which is obviously quite untranslatable, we may venture upon a verse from one of the favourite songs of the Nursery-Witch of France.

"There was a little man,
All dressed in grey was he—
Carabi,
Ton, ton,
Carabon,
Neighbour Guillerie.
His death would you like to see?" &c.

The song proceeds in this strain through a number of little adventures, varied according to the inventive genius of the nurse, and concluding with any sort of death which the special Witch of the French nurseries may take it into her head to imagine. The old song of "*Malbrouk*" is also a favourite with children in France. They take most delight in his comical wars, and yet more in his death, and his grand funeral procession—where "one carries his great sabre," another his cocked hat and feather, another his "leathern smalls," &c. Here also is a universal favourite among nursery songs, well deserving to be so; but we believe the French are indebted to us for the original:

"Petit Bo-Bouton
A perdu ses moutons,
Et ne sait pas qui les a pris;
O laissez-les tranquils,
Ils viendront en ville,
Et chacun sa queue après lui."

It must, however, be observed that French songs of this class are very few indeed; such a thing as a collection of nursery songs does not exist in France.

The modern French nursery tales which are at present most in vogue are of an utterly insipid description. They are precisely of that kind of tame moral purpose, without anything to excite the imagination, the feelings, or the fancy, which have the least degree of attraction for children. The titles of many of them are sufficiently indicative of their inanity: "*L'Ami des Enfants*," "*Les Delassements de l'Enfance*," "*Le Modele des Enfants*," (only fancy a prosy little prig of a model child)! "*Les Enfants studieux!*" &c. Out of a considerable number of little volumes now on sale for children, we recently looked through "*Douze Historiettes, pour les Enfants de six a huit ans*," published in Paris at La Libraire de l'Enfance et de la Jeunesse. In these, and most of the other French juvenile tales of our day, there is an utter want of invention and of interest.

But it was not always so in France. Far from it. Some of the most exciting, romantic, graphic, and graceful of our own old stock of fairy-tales are derived from the French: and we are bound to add, some of those which, from their horrors and cruelties, are the most alarming to the apprehensive imagination of children, filling them with vague terrors; thus rendering them unable to be left alone in the dark, and tending in other respects to injure the healthy tone of the mind and feelings. What will be said by some of our nursery-tale loving grandmammas and old nurses, when they hear that their old favourite story (and, alas! ours too) of "Blue Beard," is of French origin? Yes, Blue Beard, with his great red face, staring round eyes, bushy eyebrows, hungry remorseless mouth, his great loose crimson Turkish trouser-bags, his yellow slippers, his jewelled belt and turban, his long beard, painted blue by no niggard hand, and his immense broad crooked scymitar—this magnificent nursery monster, with his blood-stained closet, where his group of former wives all stood up with their heads cut off—this horrible old Blue Beard, we rejoice to say, is not of English origin; and we are only too sorry that he should ever have become so tragically popular among our infant minds. "Little Red Riding Hood," another most popular and delightful tale, from the excitement and the tearful pity it causes, but nevertheless one of the most shocking and cruel of all tales—this is also derived from the French. Shall we ever forget our childhood's impressions on first hearing it related by an old nurse—especially that final part where the Wolf having eaten Red Riding-Hood's poor old sick grandmamma, and got it into her bed dressed in her night-gown and cap, asks the little girl to undress herself and get into bed with her, as she is so cold. We think even now we see and hear our old nurse imitating the hypocritical Wolf, in the dreadful dialogue of "What great eyes you've got grand'ma!" "The better to see you, my dear!" "What a great nose you've got, grandma!" "The better to smell you, my dear." (Is not this truly dreadful to a listening child)! "What a large mouth and great sharp teeth you've got, grand'ma!" "The better to eat you up!" and Little Red Riding Hood is accordingly torn to pieces, and devoured, which is usually represented by a sudden rush towards the little trembling listener. Will any mother in the world, who once brings her mind to think of it, say that such stories and pictures are fit for children? Will she not at once see that they are among the very worst images, emotions, and influences that could possibly be communicated to an infant mind? But we have no thought of being unjust or ungrateful to the French, for the beautiful story of "Cinderella" belongs to them: and so, we believe, does the delightfully romantic tale of "Puss in Boots" (*Le Chat Botte*). Béranger has more recently given us a portrait of the Celebrated Marquis de Carabas, of a very picturesque and amusing kind. The pretty story of the "White Cat," also belongs originally to France. Some of these stories appear to be of Norman origin.

We have not spared our own literature; and though we admit that Germany is greatly in advance of us in respect of its tales for children (those, we mean, which are written by the best authors of this class), we have something to add from the evil stock they possess. We will conclude our list, which too truly may be entitled "horrid deeds for infant minds," with a few selections from the *Undertundfunfzig moralische Erzahlungen fur kleine Kinder*, von Franz Hoffman.

This Franz Hoffman, besides his story of "Loango," which is full of the most atrocious butcheries, and other horrors in slave-ships and among tigers (with prints to match); and his story of the "Evil Spirit," in which a King murders the father of his wife, and makes a drinking cup of his skull, out of which he compels his wife to drink; besides these more than bewitched, these demoniacal stories he has composed the above-mentioned "Hundred and fifty *moral* tales for little Children." With very few exceptions, one principle pervades them all. We have heard of a certain traveller who inquired of the king of a savage tribe as to his penal code. His black majesty calmly replied, "Our code is perfect. Our *least* punishment is death." The suggestion of gradations of torture was sufficiently obvious. So of this author's code of morals, in writing stories for the good of children, as he pretends, and the correction or prevention of their disobedience. We should prefer death, as the lesser punishment, instead of many of the shocking mutilations he depicts, as the consequence of little acts of wilfulness in children. A boy has been told not to swing so high; he forgets the injunction, and has a fall, which fractures his leg. A little girl, named Meta, plays with scissors, after being warned—and jobs out one eye. But the author, not content with this, follows up poor Meta, for putting pins in her mouth. She happens to have some in her mouth, when her aunt, whom she loves, suddenly arrives, and in the joy of the moment, running to embrace her, little Meta falls—pins stick in her throat—she suffers tortures, and then dies. A little boy gets upon a great horse—the horse runs away with him—the little fellow is thrown—breaks his arm, and the author takes care to inform his young friends, that the broken arm caused "frightful pain." Another boy gets up a tree after a hawk's nest. As a salutary warning, the hawk tears out one of his eyes, and we are assured that the boy "remained a hideous object all his life." As to what the King of the savages called his "least" punishment—namely, death—there is abundance of it in this book; but in most cases it is attended or preceded by torture; bites of adders and apes, tearing of limbs by dogs, shots from guns, and lacerations from fox-traps, tumbles headlong from high towers, drownings, pursuits by lions, &c., most *impressively* illustrated by prints and vignettes. We hence discover that the "morality" of these tales is that of vengeance, and its code one of the most cruel for the most common of children's offences.

In educational books—education of children by means of books of a direct and pratical kind—we are supplied to overflowing. More than enough have we of little primers of all the arts and sciences, and geographies and histories, and the useful knowledges; but, of books well suited to the earliest and best feelings, and the purest moral principles, as indirectly, but no less profoundly, instilled through the heart and the imagination—oh! how few, in comparison with the masses of trash, or of sanguinary and otherwise unwholesome excitement! At the top of the best of this class of books we should place the children's stories of Hans Christian Andersen; and (with the exception, here and there, of an objectionable touch of the dark and terrific) those of the author of the "*Ostereier*," the "Fable Book," of Otto Specter; the "*Alte und Neue Kinderlieder*" collected by G. Scherer; the German "*A. B. C. Buch*," both these latter being illustrated by several of the first artists in Germany. There the first artists really are engaged for the purpose; with us it is only pretended, as a matter of advertisement. Hence the extraordinary superiority of the foreign illustrations. The fanciful magic tale of "Good Lady Bertha's Honey Broth," from the prolific pen of Alexandre Dumas, is far surpassed in the fertility of necromantic invention by the extraordinary designs furnished by an eminent artist. Our own authors, the few who have written excellent stories and songs for children—Mrs. Barbauld, Mary Howitt, Mrs. Marcet, Miss Martineau, Mrs. Harriet Myrtle, Jane and Emily Taylor, the authors of "Parent's Cabinet," and some others, how much more extensive would have been their success had they found such artists to illustrate their books, as we find with thebest of those produced in Germany, France, and Holland! And here we may mention that we have never met with songs more pure and innocent, and more truly adapted for children, than those of the Dutch poet, Van Alphen (*Kleine Gedichten voor Kinderen, door Hieronimus van Alphen*). The "*Gouden Boeksen*" of Van Hasselt, another Dutch poet, is also worthy of high commendation for the same reasons. The illustrations are excellent; the verses of charming simplicity and innocence.

But now we may be asked—will children be interested in this purity—this innocence? Is it not too much like themselves, and do they not crave for more exciting aliment? Do they not delight in horrors, and such things? Not a doubt of it. In like manner, children of a larger growth delight in gin and take other stimulating things to excess. If a child cries for a nice mixture of poisoned plums and sweetmeats, are we to give them because of the pleasure they excite at the moment? There is no philosophy, no moral firmness, in this; though it may be natural enough in a bookseller to advance such an argument. His object is to supply a market. What children like, is considered "the demand," and obedient parents, bowing to indulgent children, obtain whatever the rosy-cheeked little tyrants require.

What is to be done for children in this matter? The first step towards a reform that will strike most people, is by no means so easy of practical accomplishment. Some years ago, the author of "The Good-natured Bear, a Story for Children of All Ages," went to a publisher, eminent for his juvenile books, and proposed the following work. He wished to awaken parents and guardians of children to the condition of nursery literature, and to warn them against a heap of "favourite" books and tales, as of most injurious tendency. The publisher was struck with the proposal; but, after some days' consideration, he demurred to it, on the ground of the large amount of capital already embarked by many respectable houses in the trade, in these very books, hundreds of thousands of which were profusely illustrated, and great numbers beautifully bound; he therefore thought it would seem invidious towards the trade, and that his motives would, at best, be misconstrued. The Good-natured Bear saw some reason in this, or, at any rate, received it as a good commercial objection; and, bowing to fate, agreed to modify his original proposal. Instead of denouncing all the bad books and tales by name, with all their death-dealing and alarming illustrations, he now proposed to denounce them only in general terms, on broad principles, and to specify by name only such books, tales, and songs as were good—beautiful and poetical in spirit, or humourous and amusing; and in no case containing cruelties, horrors, vices, and terrors of any kind. The publisher rubbed his hands with a beaming smile. "This will do," said he; "this will do; and, by the way, I have myself published a number of books exactly of this latter kind—beautiful in poetry, amiable in prose, humorous and amusing in spirit; and the illustrations and binding among the best in the trade; all of which you would, no doubt, specially mention." The Good-natured Bear was carried, fainting, into a cab.

Where is a reform in the nursery library to come from? A real reform, both in the spirit, and the letter, and not a "sham," that will look well in the advertisements? One cannot expect it to come from the children; for they are fascinated by what they fear. Almost as little reasonable will it be to expect such a reform to originate with the publishers of children's books, nearly all of whose present stock in trade is full of the old leaven of direct evil, or reckless fun. The real reform must begin with the parents. Directly they begin to *think*, the publishers will feel it, and respond.—*Dickens' Household Words.*

STORY OF A RUSSIAN PRIEST.

The cruel complications to which the system of serfdom and the heartlessness of serf owners sometimes lead are strikingly exemplified in the story of a Russian priest, with whom Mr. Jermann made acquaintance during an excursion near St. Petersburg. The priest's father was a serf on an estate near Kasan, and was permitted by the count, his master, to take service in the town, he paying a yearly *abrok*, or fine, in lieu of the labour he was bound to perform. He obtained employment in the household of a rich goldsmith, and there occupied his leisure in drawing, for which he had a natural taste. One day he surprised his employer by the exhibitoin of a beautiful arabesque design. The goldsmith, struck by his ability, released him from his menial duties, and took him as a pupil into his workshop, where his talent, backed by unwearying assiduity, soon converted the dull peasant into a highly skilled artist. Thus he continued until he reached his five-and-twentieth year, when he fell in love with the goldsmith's daughter, a beautiful girl of eighteen. She ardently returned his love, and her father consented to their union on one condition, that the serf should become a freeman. This condition could not be complied with. The count obstinately refused to liberate his vassal; all that entreaty could wring from him was the promise that, without absolute necessity, he would not withdraw him from the town. This did not satisfy the old goldsmith; but he could not resist his daughter's tears, and the lovers were united. A year of perfect happiness flew rapidly by; then came the war with France; the bridegroom's younger brother was taken for military service, his father died, and he himself was summoned by his owner to manage the now deserted farm. On his brother's return from the army he was to be at liberty to go back to Kasan. But his brother never returned, and the poor artist, the cunning worker in gold and silver, was condemned to follow the plough, whilst his free-born wife sat beneath a serf's roof, nursing her infant son. This child was her only consolation in her sadly altered circumstances. She passed her time in dressing and adorning it, and the fame of its beauty spread through the hamlet, till it reached the ears of the countess, who demanded to see the child. The proud mother decked it out like a lamb for the sacrifice, and took it to the castle. The countess was delighted with its beauty, as she might have been with that of a poodle or parrot, and declared her intention to do its parents the honour of adopting it. In vain the mother wept, implored, and raved in despair at the prospect of losing her son. The infant remained upon the countess' lap, the mother was forcibly turned out of the castle. Brought up in luxury, the boy thought not of the parents he had scarcely known. The count died soon after his adoption, leaving his widow with two sons and a daughter, besides the adopted son and two adopted daughters. The six children grew up together in perfect equality, receiving the same education, sharing the same sports, until the serf's son reached his fifteenth year. At that period the young count fell dangerously ill; the physicians abandoned him, and his despairing mother made a vow, that if he recovered she would devote all her adopted children to the church. He did recover; she sent her two adopted daughters to a convent; one took the veil; the other so obstinately refused it, that the superior of the convent sent her back again to the countess, who, furious at her refusal, gave her in marriage to a gamekeeper, a dissolute fellow, who took her away to Moscow. Then came the turn of the goldsmith's son. He had no taste for the priesthood, but what could he do? A serf, and the son of a serf, obedience was his only passport to freedom; refusal would condemn him to a life of toil and misery. By consenting, he at least secured his emancipation; for no serf can be a priest in Russia. He yielded, was received into the church, and it was during his residence at the St. Petersburg seminary that Mr. Jerrmann fell in with him, and heard from his own lips the sad story of his life.—*Blackwood's Magazine.*

THE BOOK TRAY.—Among the number of articles exhibited in the Scotch Department of the Exhibition, there is amongst the splendid furniture an unpretending piece of cabinet work described as being carved with a penknife by John Barrie, a ploughman in Peeblesshire, by candlelight, during the winter evenings. The history of this unique specimen of self-taught genius is highly interesting. Mr. Chas. Mackie, of London, author of the "Castles, Palaces, and Prisons, of Mary of Scotland, &c.," being on a visit to the schoolmaster of Eddlestone, he was introduced into the cottage of Barrie, where he found him engaged over a flickering candle engraving with the stump of a penknife a piece of ornamental cabinet work, without model or design. Our friend, Mr. Mackie, who was struck with such a rare specimen of natural ingenuity, recommended Barrie to get up a similar specimen for the Great Exhibition, and pledged himself to use his best influence with the Committee of Inspection. Barrie's "Book Tray," for such it is, was in due time forwarded to London, the only specimen, we believe, of any sort of manufacture which has been sent from the whole county of Peeples. We are happy to learn that her Majesty has become the purchaser of the little curiosity, for sending which the poor ploughman has been laughed at by the whole parish. They may now laugh at "the wrong side of the head." Had Mr. Mackie not fortunately stumbled upon this humble individual, he would have remained neglected—another instance of the truth of the adage, that

"——many flow'r is born to blush unseen,
And waste its fragrance on the desert air."

The carving of the "Book Tray," which is on sycamore wood, can be compared to nothing else except some of those minute efforts of the Chinese. On the ends of the tray are two Scotch thistles, branched out so as to serve the purpose of handles. The centre engraving (for engraving it may be justly called) is one complete piece of intricate carving, and the mouldings round the edges are of exquisite execution, and must have been the work of much labour and ingenuity.—*Wilt's Independent, Aug 28.*